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RUGBY WORLD CUP

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20P

# THE TIMES



No. 65,286

TUESDAY JUNE 6 1995



Orford Ness, a former nuclear research site, reverts to public use tomorrow after 80 years. The 1,500-acre Suffolk coastal region features Western Europe's largest shingle spit

## Out-of-bounds Suffolk coastline reopened

BY JOHN YOUNG

ONE of the most secret and desolate coastal landscapes in Britain will be opened to the public on Thursday for the first time for 80 years. Three years ago, a five-mile stretch of Orford Ness, in Suffolk, consisting of some 1,500 acres of saltmarsh and shingle, was purchased by the National Trust from the Ministry of Defence. Three generations of scientists had worked there on top secret weapons of mass destruction; today, the silence is broken only by the wind and the cries of gulls swooping and swirling above empty, crumbling buildings. Orford Ness lies more or less on the eastern extremity of England between Felixstowe and Aldeburgh. On one side, silt from the River Ore has accumulated over the centuries to form a marsh, reclaimed for grazing in the Middle Ages. On the seaward side of the river, lies Western Europe's largest vegetated shingle spit, a pattern of ridges deposited over many centuries and still expanding southwards at an average rate of 45 feet a year. Both shingle and marsh support a range of rare flora and are internationally important over-wintering breeding grounds for seabirds, waders and wildfowl. The military history of the Ness — derived from the French word *nez* meaning nose — began in 1915 when the armament and experimental flight of the Royal Flying Corps began research into guns, bombs, and navigation. Continued on page 2, col 5

## Arms-to-Iraq report set back again

# Scott warns Whitehall to stop delaying

BY NIGEL WILLIAMSON, WHITEHALL CORRESPONDENT

SIR RICHARD SCOTT warned ministers and civil servants yesterday to halt the tactics that have delayed publication of his report into the arms-to-Iraq affair until September at the earliest. Publication in the autumn, during the party conference season, could be embarrassing for the Prime Minister at a difficult time. However, Robin Cook, the Shadow Foreign Secretary, accused the Government of a concerted attempt to postpone publication for political advantage. Three key witnesses, at least one of them a minister, have failed to meet the deadline for responding to criticisms made in the draft report. The three, whose identity has not been divulged, have asked for extra time to take legal advice. The inquiry is also still seeking the release of papers from the Cabinet Office first requested two years ago. The ministers facing the heaviest criticism in the report are William Waldegrave, the Minister of Agriculture and at the time Foreign Office Minister, and Sir Nicholas Lyell, the Attorney-General. The inquiry was set up by John Major in November 1992 to investigate what members of the Government knew about the illegal export of arms-making machinery to Iraq and was originally expected to report last autumn. Mr Cook said yesterday: "I always suspected the Government would do its best to produce the report while Parliament was not sitting, and kick it into the long grass of a recess. I rather suspect that is what Whitehall is up to at present." Sir Richard was being showered with "new



Sir Richard: irritated at the time-wasting

evidence of documents he hasn't seen or things they have not said to him" as part of a delaying tactic. Christopher Muttukumaru, the inquiry secretary, confirmed that the circulation of sections of the draft report to ministers and officials, with an invitation to comment, had generated "more argument and extra papers". The examination of the fresh evidence was the main reason for the further delay in publication. However, he added: "We will not be driven off course and we will not cut corners." Mr Cook also released correspondence between himself and the Prime Minister in which he asked for an assurance that Mr Major had "complete confidence" in Sir Richard. In reply, Mr Major said the procedures of the Scott inquiry were the responsibility of Sir Richard and that the Government did not expect to reach a view on the inquiry until it had been completed. Mr Cook said: "It is quite clear there is a distancing operation going on." He said that Mr Major's reply failed to declare confidence in Sir Richard and his procedures. Scott officials declined to endorse Mr Cook's claim that there was a collective government conspiracy to delay the report. However, it is known that privately Sir Richard is irritated by what he sees as deliberate time-wasting in some corners of Whitehall. Mr Muttukumaru said: "If it appears that extensions of deadlines are being sought without good reason, then the judge will be firm in rejecting them. We did not want the delays that have occurred. We would much rather have published before now." He added: "There will come a time when we will have to put a bar on new evidence. The curtain comes down when a witness comments on provisional criticisms and we would have hoped they would have already done so." Witnesses who have asked for an extension have been told by Sir Richard that their actions are further delaying the publication of his report. Sections still not finalised involve three Cabinet ministers, Kenneth Clarke, the Chancellor, Malcolm Rifkind, the Defence Secretary, and Peter Lilley, the Social Security Secretary. All three signed public interest immunity certificates withholding important evidence on the Government's knowledge of arms sales to Iraq from the trial of the three Matrix Churchill executives accused of selling defence-related equipment to Iraq. Mr Muttukumaru said that it was "pretty self-evident" that the magnitude of the task had been underestimated. However, he said that Sir Richard, Vice-Chancellor of the Supreme Court and a former Lord Justice of Appeal, "is doing the job he was asked to do. If the conduct of individuals is properly open to criticism, the judge will comment on their conduct irrespective of whether they are ministers or civil servants."



Mr Goldman, who says he was cheated out of victory

## Cross words in court over Scrabble defeat

BY JOE JOSEPH

### SCRABBLE

NOBODY in the courtroom dared whisper the childhood admonition "it's only a game" as Michael Goldman, a 62-year-old Scrabble expert distraught over losing a national Scrabble tournament, yesterday began suing the organisers. Mr Goldman, a solicitor, believes he was cheated out of victory when his timing clock was started while he was in the lavatory. He also claims that having to fight through nine rooms and a convention dressed as cowboys and cowgirls before being forced to queue for a cubicle left him distressed. The former national Scrabble champion and author of *You Can Play Better Scrabble* is seeking £5,000 in aggravated damages including £200 for loss of prize money. He is suing three top officials of The Association of Premier Scrabble Players at Central London County Court for breach of contract. All three deny liability. Addressing Judge Anthony Halgarten, QC, Mr Goldman's barrister Michael Duggan said: "I ask your honour to approach the case as if it were a family which had gone on holiday and the holiday was moved. My client is a well-known Scrabble player and past national champion. This was his recreation and important part of his life." Mr Goldman calculates that he lost four crucial minutes of a match when, to his fury, his clock began ticking in the middle of his abominable absence. Each of the 90 players in the tournament was allowed 25 minutes to score. But at the competition, in Folkestone's Hotel Bursin in December 1990, Mr Goldman took a fateful seven minutes to go to the lavatory between games. He returned to find that his opponent, John Rustad, from the Cambridge Scrabble Club, had already begun the game and taken about three minutes to score 76 points with the word "fanners", using all his letters, before pressing the timer. It was another four minutes before Mr Goldman returned, leaving him only 21 scoring minutes. He ended up losing the game to his lower-ranking opponent by 26 points. Mr Goldman claims he was not warned that the game might start without him. He says more time should have been allocated between the 50-minute long games to give players the chance to relieve themselves. He told the court: "If I had had the extra four minutes I think in the circumstances my superior skill would have enabled me to overcome the disability of 76 points and very probably win the game. But I was in a mentally beleaguered state and had to control my inner turmoil as best I could." Mr Goldman, of Maidstone, continued on page 2, col 7

## Greeks boost UN hostage hopes

BY OUR FOREIGN STAFF

HOPES rose last night for the release of more than 230 United Nations peacekeepers, including 22 Britons, being held by Bosnian Serbs after Greek ministers tried to negotiate their freedom. A statement from the office of President Milosevic in Belgrade said that Jovica Stanisic, his police chief, who helped to free 121 UN hostages last Friday, had reported that Bosnian Serb leaders "responded positively" to proposals to speed up the release of the remaining hostages. Mr Stanisic was in Pale, the headquarters of the Bosnian Serbs, for talks with Radovan Karadzic, the Bosnian Serb leader. Karolos Papoulias, the Greek Foreign Minister, and Gerasimos Arsenis, the Greek Defence Minister, were also in Pale. UN hostages were being brought together from different sites. There was no evidence that any time had been fixed for their release and some observers expressed doubt over whether the Bosnian Serbs would give up what they regard as their only bargaining card to ward off further Nato airstrikes. Greece is the only Western country to have kept close ties with Belgrade and Pale since the Yugoslav conflict erupted. The Serbs' other traditional friends, the Russians, showed increasing nervousness yesterday about the decision to send British and French-led task forces to Bosnia-Herzegovina. On the eve of a key visit to London to discuss the crisis, Andrei Kozirev, the Russian Foreign Minister, last night made clear Moscow's opposition to the planned forces. "The introduction of offensive tasks will mean a final end to everything we have been discussing in the framework of the Contact Group," he said. President Yeltsin, in a telephone call to President Chirac, said that although pressure must be increased on the Bosnian Serbs, it must be purely political. UN trip scuppered, page 16

## Gynaecologist 'faked records'

A gynaecologist tampered with medical records in an attempt to support his claim to have performed a pioneering operation, it was claimed yesterday. Malcolm Pearce used his computer access to alter patients' medical details, the professional conduct committee of the GMC Council was told. Page 3

## Clegg supporters hail new evidence

Supporters of Lee Clegg, the paratrooper who was jailed for murdering a passenger in a joyrider's car, are confident that new evidence would lead to the quashing of his conviction. His legal team claimed the new evidence showed that the shots fired by the soldier were legal. Page 4

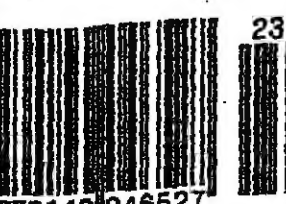
## Hate campaign

The village policeman in a pit community became the target of a ten-year hate campaign sparked by the clashes between police and pickets during the miners' strike, a court was told. Page 6

## Thieves thwarted as £215,000 Bentley is found

BY ALAN COPPS

THE £215,000 Bentley Azure spirited away in a robbery last month has been recovered — to the relief of Rolls-Royce, the Italian police, the organisers of the Mille Miglia, insurers who had offered a £10,000 reward and me. I and a colleague had driven the car, one of only 11 so far made, to Brescia for the start of the Historic Mille Miglia (1,000-mile) race, to follow the fortunes of Prince Michael of Kent and other drivers in a team of vintage Bentleys. Despite its sophisticated alarm system and immobiliser, the car vanished overnight from the underground car park of our hotel. It was found at the weekend near Linate Airport at Milan by the special police squad assigned to the case. The car was reportedly "carefully hidden and packed ready to be sent to the Middle East". It had suffered little damage. Several other exotic cars stolen at about the same time have also been recovered.



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# Tory officials angry over crash MP's silence

BY JAMES LANDALE AND DOMINIC KENNEDY



The MP's wife, Cecilia

SIR NICHOLAS SCOTT will face a showdown with local party officials today amid growing speculation that the Tory MP for Chelsea will be forced to stand down at the next election.

The former Minister for the Disabled has come under pressure to resign after being breathalysed and arrested. He allegedly left the scene of an accident in which a three-year-old boy was trapped between two cars.

Conservative Central Office and constituency chiefs are angry about Sir Nicholas's apparent failure to keep in touch since the incident, after which he was released on police bail. A party source said last night: "It has been a most frustrating time for all of us. It has not been helpful."

Local Tory officials were reported to be anxious to hear a personal explanation from Sir Nicholas before making any public statements about his future.

Yesterday Sir Nicholas returned to London from his holiday home in Cornwall where he had been staying with his wife. He spent a few hours at his office in Westminster. John Corbet-Singleton, chairman of Chelsea Conservative Association, said: "I expect I will see him in the next day or so. It is a private matter but obviously it affects his constituency."

Barbara Lord, Sir Nicholas's party agent, said she had spoken to the MP but he had not told her what he planned to do. It was confirmed yesterday that Patricia Sill Johnstone, Sir Nicholas's secretary, was with the MP when he was involved in the

incident last Thursday. It had been thought that Sir Nicholas's wife, Cecilia, was with him when his Volvo collided with a parked car as he left a garden party in central London.

Ms Lord said yesterday that Sir Nicholas had attended the Tory fundraising function alone but confirmed that his secretary was with him later. Mrs Sill Johnstone, who has worked for Sir Nicholas for more than 25 years, was yesterday refusing to answer calls at her desk in the Commons. At her home in Hampstead, north London, a man refused to comment.

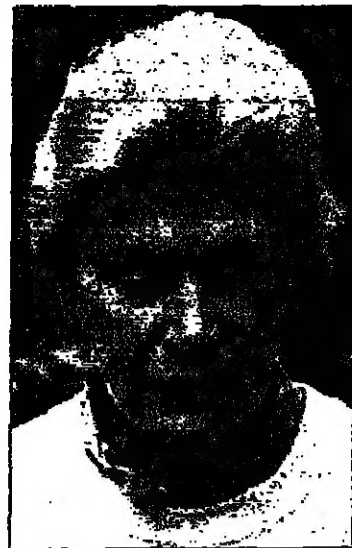
Although Sir Nicholas has faced calls for his resignation from some local party members, some Tory MPs said the criticism was politically motivated. They added that Sir Nicholas would win widespread support

from fellow Tory MPs when they returned today from their Whitsun recess.

One local party source said: "There's a lot of affection for him in the association. He is amiable and cheerful." He added, however: "We don't see how he can possibly survive the outcry in the long term."

Yves and Annick Perreard, whose son's pushchair was caught between two parked cars, have demanded an apology from Sir Nicholas. Yesterday they said the MP had not made contact with them and that they were still considering what action they could take.

Mr Perreard claimed the woman with the MP had refused to exchange addresses, and said: "What are you worried about? The child's not dead. He's not even English."



Patricia Sill Johnstone

## Security firms to face new controls

Michael Howard, the Home Secretary, is expected to bow to demands from MPs for measures to weed out cowboy security firms. A report to be published tomorrow from an all-party committee of backbenchers will call for a new statutory regulatory regime for the private security business and concerns about criminal activity by rogue guards.

MPs will also call for changes to the law so that would-be guards are required to declare any criminal convictions and are licensed. Regulators would check up on employees through the police files and firms employing unlicensed guards would face fines.

## TT girl, 8, hurt

An eight-year-old girl suffered serious head injuries yesterday when a racing motorcycle went out of control during the Lightweight TT on the Isle of Man and crashed into spectators. She was airlifted to Walton Hospital in Liverpool. Eight others were injured, including the girl's mother who was said to have minor fractures. The rider suffered broken bones and was in Nobles Hospital in Douglas.

## Rail-link delay

A landslip that caused chaos at Heathrow Airport last year will delay completion of a £300 million rail link. BAA, the airport operator, said yesterday that the 80ft hole, which appeared when a tunnel collapsed during work on the Heathrow Express link last October, had set the December 1997 finishing date back by several months. No one was hurt but there were serious travel problems in the area.

## Meningitis vigil

A mother whose six-year-old son died of meningitis last year is at the hospital bedside of her daughter, who was diagnosed as having an unrelated strain of the disease on Wednesday. Two-year-old Candy Summers was said to be "critical but stable" in Addenbrooke's Hospital, Cambridge. Her mother, Julie, of West Newton, Norfolk, said Candy was making slow but steady progress.

## Tiger rethink

John Aspinall, the zoo owner, is considering lifting a ban on keepers going into tigers' cages which he imposed following the death of a keeper six months ago.

Mr Aspinall made the announcement when he opened a gorilla compound at Howletts wild animal park near Canterbury in Kent, yesterday. Trevor Smith, 32, the third keeper to be killed, was mauled to death by a two-year-old Siberian tiger.

## Aids death

Sean Mayes, who this year broke a 23-year silence to name his mother as his brother's killer, has died of Aids. Joy Mayes killed her 23-year-old son Roderick in 1972 to save him from the slow death of drug addiction. Mrs Mayes, who died three years ago, swore the family to secrecy. When Sean, 49, learnt he was dying he told police and guided them to a grave in the garden of the old family home at Weston-super-Mare.

## Damages reform

People injured through the negligence of others would receive higher damages under reforms urged by the National Consumer Council today. At present damages include the money that victims have to pay back to the state for any benefits received, pending the court's award. The council says that many victims of negligence are left with little or nothing and that courts should deal separately with the two issues.

## Rail operators say sell-off is close to becoming shambles

BY JONATHAN PRYNN, TRANSPORT CORRESPONDENT

THE sale of rail passenger services is in danger of degenerating into a shambles as the Government struggles to meet its April deadline for privatising half the network, train operators say.

They claim that Brian Mawhinney, the Transport Secretary, has underestimated the vast amount of paperwork that has to be completed if he is to sell 51 per cent of the network by April 1. A delay would be a huge blow to privatisation. So far only a handful of tiny BR subsidiaries have been sold.

The sale of the first three passenger franchises, South West Trains, Great Western, and London, Tilbury and Southend, is well advanced and is expected to be completed by the end of the year. However, railway sources claim that staff and advisers responsible for setting up the complex franchises are so exhausted that the next phase will be delayed.

Invitations to tender for the next four franchises, Gatwick Express, ScotRail, InterCity East Coast and Network South Central, are due to be

issued by Roger Salmon, the franchise director, on July 18. This date is widely expected to be put back until September.

"There is no way they can make July," one senior rail-way source said. "People involved in this have been working 12 hours a day for the last 18 months and they need their holidays." Staff and advisers to Opra, Mr Salmon's office of passenger franchising, are also said to be exhausted by increasing political pressure to meet their deadlines. "All sorts of people left last week for their holidays and suddenly everything has gone very slow," said a manager at one train operator. "Meetings are being cancelled and it has become hard to get hold of the right people."

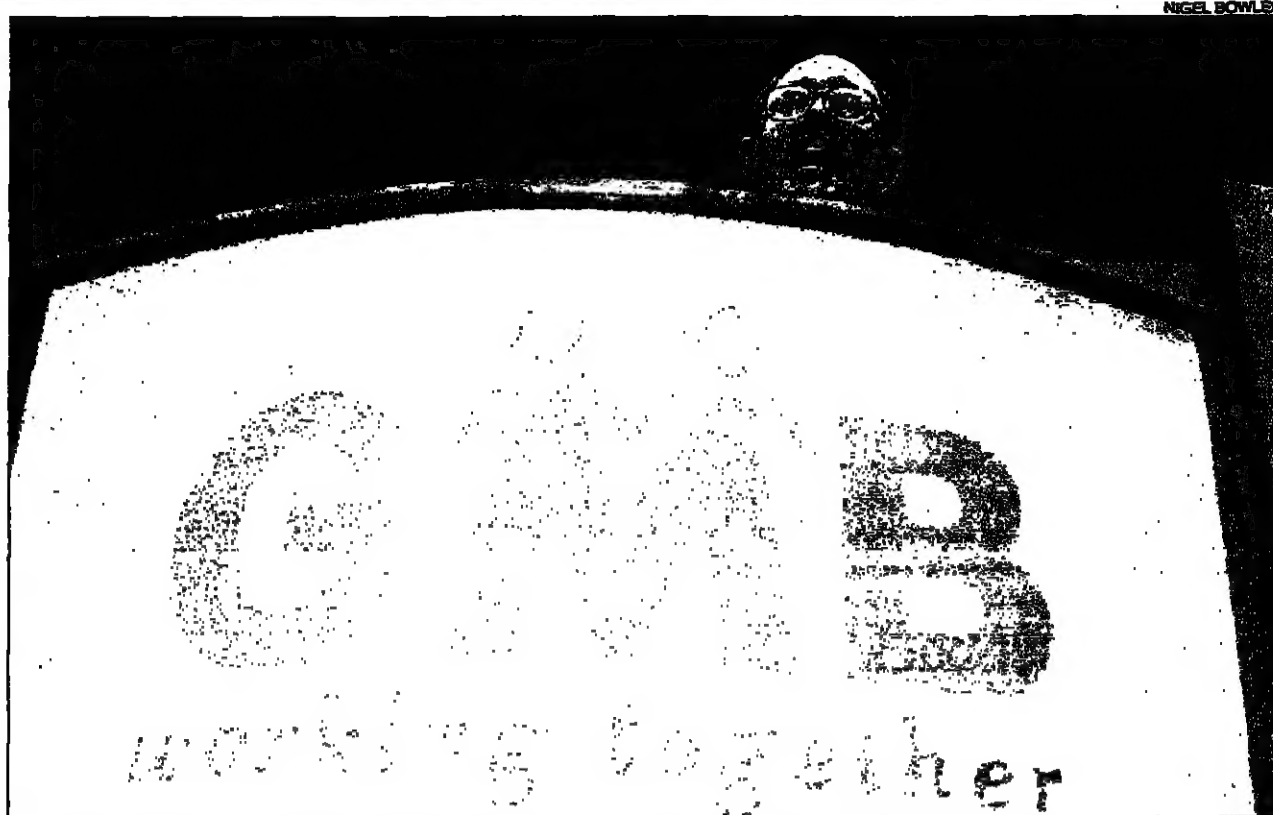
Railway experts believe that it will take at least six months from when the invitations to tender are issued before franchises can be handed to private operators, even if the sale of the first seven goes according to plan. That would leave the Government short of its 51 per cent target and needing the sale by April 1 of at least one more major franchise,

such as InterCity West Coast or South East Trains.

An Opra spokesman said: "There is still a lot to be done, a lot of documents to be drawn up, but we are still working towards the Government's target." The Transport Department said: "The deadline remains the same."

There was some better news for ministers yesterday, when British Rail announced the biggest disposal yet under privatisation, the £30 million sale of six maintenance depots. Three have been bought by ABB Customer Support, two by Railcare, a joint venture by Babcock International and Siemens, and one by a management team.

But this sale has been delayed since April and the Government and British Rail have missed virtually every privatisation deadline. Until yesterday, only a consultancy, a West Country quarry, three maintenance depots and the Special Trains unit had been sold. Others, such as a Taunton concrete works and a creosote factory, have been closed because of lack of interest.



John Edmonds, leader of the GMB, told its conference yesterday that there could be no "inside track" for unions

## Unions 'should not seek Labour favours'

BY PHILIP BASSETT, INDUSTRIAL EDITOR

JOHN EDMONDS, leader of the GMB union, yesterday called past relations between Labour and the unions a "dreadful mistake" and set out what he would want from a government under Tony Blair.

Mr Edmonds argued for rights to prevent strikers from being sacked, recognition of unions by employers, and a

national minimum wage. Speaking ahead of Mr Blair's address to the union's conference tomorrow, in which the Labour leader is expected to make clear that unions can expect fairness but no favours, Mr Edmonds said he had "no reason to quarrel" with such an approach. While unions expected to be treated as European-style "social partners" they did not claim an "inside track".

Rejecting the approach of the 1960s and

1970s, Mr Edmonds told the conference in Brighton that Labour had tried to use the unions to keep down wages, while the unions had pretended that "coysing up" to a Labour government would produce special favours. "It was not an honest relationship and it did not work. The Government lost the confidence of the public and we lost the support of our members. We will never make that dreadful mistake again."

## BMA criticises lottery for failing to fund research

BY ALEXANDRA FREAN, MEDIA CORRESPONDENT

THE British Medical Association criticised the National Lottery Charities Board yesterday over its refusal to give lottery money to medical research charities.

Members of the BMA's Medical Academic Staff Committee called for a review of the way lottery money is allocated and demanded national consultation to determine whether the public and the health sector believed that medical research charities should continue to be barred from lottery grants.

Dr Colin Smith, the committee chairman, said that medical research charities had suffered a "double whammy" since the lottery was launched in November. "The National Lottery is both excluding funds for medical research and hitting existing fund-raising in the increasing com-

petition for money," he said. "I do not believe that the public realises that when they pay their pound for a National Lottery ticket, the 40p that goes to charitable causes excludes vital research into diseases in cancer, lung disease and other such important work."

Dr Smith said that he would write to Stephen Dorrell, the Heritage Secretary, and Michael Howard, the Home Secretary, to express the BMA's concern. His intervention follows last month's decision by the Charities Board — one of the five "good causes" to distribute from the National Lottery — to concentrate its first round of grant-giving on helping people on low incomes.

The decision is being challenged by the Association of Medical Research Charities

with support from the BMA. Diana Garnham, the association's general secretary, said that urgent research was needed to establish exactly how much money medical research charities had lost from their collecting tins since the National Lottery's launch. Research published by the National Council for Voluntary Organisations in March showed that individual donations to all charities fell by £71 million in the first four months.

Ms Garnham said the association would seek short-term compensation for medical research charities which had been forced to close their own fund-raising lotteries as a result of the National Lottery. These include Tenovus, a cancer charity in Wales, and Children National, a London-based paediatric charity.

## Suffolk

Continued from page 1 and aerial photography. Between 1935 and 1936 it was briefly occupied by Robert Watson-Watt and his staff working on the development of radar, before they moved to a larger site at Bawdsey Manor a few miles down the coast.

During the Second World War, experimental work concentrated on ballistics and firing trials. After the war, research switched to ballistic missiles and the development of nuclear weapons. At various times it also housed a prisoner-of-war camp, an aerodrome and gunnery ranges.

Yesterday, Keith Wood, three months short of his eightieth birthday, recalled working at Orford between 1957 and 1962 as superintendent in charge of the atomic weapons programme. "We did use high explosives which are needed to detonate an atomic bomb," he said. "If we had had an accident, it would have been a very big one, but fortunately we never did."

The total cost of acquisition, clearing ordnance and restoring some of the build-



National nature reserves managed by English Nature

National Trust land

Orford Ness

ings amounted to £3,500,000, of which £2,300,000 came from a Countryside Commission grant, £887,500 from the trust's Enterprise Neptune appeal and £389,000 from the National Heritage Memorial Fund. The number of visitors will be initially restricted to 96 a day. They will be ferried over to the spit and taken on a 3½-hour conducted walk. Some of the buildings, such as the extraordinary "pagoda" used for the nuclear testing programme, are too dangerous for the public to be given access.

The cost of the trip for is £5 for non-members and £3 for members. Visitors must book in advance on 01394-450637.

## Scrabble

Continued from page 1 Vale, northwest London, told the court that he took about seven to ten minutes to visit the toilet after finishing his second game. "I had to walk quite a long way to them from the game-playing area, through a large dining room, then through a bar and refreshment centre and through the hotel reception, and then through two or three other areas. A convention of cowboys and cowgirls had booked the hotel for the weekend and were using most of the rooms. A lot or all of them were inside because of the driving rain outside."

The only set of toilets in the hotel were on the ground floor and he had to wait until one of five cubicles in the gents became vacant. He claims that Clive Spate, the AFSP Secretary, Allan Simmons, the president, and Graeme Thomas, the chairman, failed to "honour their contractual duty to conduct the game fairly, reasonably and properly or allow sufficient time between games for players to take refreshment or visit the toilets". The case continues.

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'Mr Pearce spun a web of deceit to conceal his scientific fraud,' GMC told

## Consultant accused of inventing details of pioneering operation

By Emma Wilkins

AN eminent gynaecologist lied and tampered with medical records in an attempt to support his claim to have performed a pioneering operation, it was claimed yesterday.

Malcolm Pearce, 45, a former consultant at St George's Hospital, Tooting, south-west London, used his privileged computer access to alter patients' medical details, the professional conduct committee of the General Medical Council was told.

Mr Pearce, who was sacked from his job in December after a hospital investigation, claimed in an article published in the *British Journal of Obstetrics and Gynaecology* (BJOG) last August to have performed the world's first successful transfer of an ectopic pregnancy. The condition, where the foetus develops outside the womb, affects one in 200 pregnancies in Britain each year and most end in miscarriages. Mr Pearce had been a consultant at St George's for 12 years and had an international reputation when his article was published.

According to Mr Pearce's paper, he conducted the surgery on a 29-year-old African woman who gave birth in April to a daughter after six and a half hours' labour. The General Medical Council, which has the power to strike Mr Pearce from the medical register, was told that none of the 201 women who gave birth at St George's that month fitted the description of the woman in the article.

Rosalind Foster, counsel, told the hearing that Mr Pearce first tampered with the records of one patient, but the lie was later exposed. He then interfered with the details of a



Professor Chamberlain: signed article "as a formality"

second woman, who has never been traced, Miss Foster said. The first patient, known as Mrs X to protect her identity, had a relocation operation for an ectopic pregnancy at the hospital in October, 1993, but later miscarried.

Mr Pearce, from Tooting, who is married with four children, altered Mrs X's computer records and replaced the name of her consultant with his own. Her hospital number was also changed, but the forged number related to a patient born in 1910 and hardly likely to be pregnant in 1994. The records showed the change was made by someone using Mr Pearce's password.

Mr Pearce admitted to Professor Sir William Asscher, principal of St George's Medical School, that he had lied about Mrs X being his patient. During the interview in September last year, Mr Pearce appeared pale and shocked and perspired profusely, Sir William told the hearing. He said: "When he left I saw that

on the highly polished table there was a pool of sweat. I had to repolish it because I had another guest coming."

"He told me that he had deceived me. He said that he had done it to protect his colleagues. He said he had undertaken a successful ectopic operation, but could not remember the name of the patient and had made up the notes. In the conversation he said that he had dug an even deeper grave for himself," Sir William said.

"He looked like a guilty man. He couldn't look me in the eye. He didn't say he was sorry. He did not tell me how it would protect his colleagues," added Sir William, who set up the inquiry at St George's. Mr Pearce next tried to pass off another patient, known as Miss Y, as the woman on whom he conducted the operation, Miss Foster said. "Sadly, it has to be said that Mr Pearce has been prepared to lie and invent computer records to substantiate his claim," she said. According to hospital records Miss Y was 25, not 29, and gave birth in April to a baby weighing 3.7kg, not the 2.7kg claimed in Mr Pearce's article. Computer records showed "significant changes" had been made to the records of Miss Y in September last year, using the passwords of two midwives. Twenty witnesses are to be called.

"We will invite you to say that a clear attempt has been made to create a patient and baby fitting the case report," Miss Foster told the panel, chaired by Sir Robert Kilpatrick, president of the GMC. "The finger points clearly at Mr Pearce's involvement — given his knowledge and ranking on the computer," she added. Mr Pearce's rank — level 9 — was the highest available to any medical staff, the hearing was told.

Despite claiming to have conducted a ground-breaking technique, Mr Pearce was unable to give the names of the medical staff who assisted him, the hearing was told. "One might be forgiven for thinking that, if indeed Mr Pearce had been responsible for this world's first, then his colleagues would have known about it," Miss Foster said.

Mr Pearce claims that he was unable to identify the patient because he had arranged for her to be treated on the NHS under a false name, because otherwise she would not have qualified for NHS care, Miss Foster said.

Mr Pearce, who faces 12 charges of serious professional misconduct, did not attend the hearing. He submitted a letter to the hearing via his solicitor in which he denied misconduct and said it would serve no useful purpose for him to attend. Falsification of



Pearce said he had performed the world's first successful ectopic transplant

the records was an attempt to hide his lies, Miss Foster said. "Mr Pearce spun a web of deceit to conceal his scientific fraud. He then falsified records to cover up his lies. By his actions he has abused the trust of the public and the profession," she said.

The article was signed by two other doctors: Professor Geoffrey Chamberlain, then head of the academic department of obstetrics and gynaecology at St George's, and Isaac Manyonda, then a junior registrar. Professor Chamberlain, who claimed that he had signed the report as a formality as head of Mr Pearce's

department, later resigned his editorship and his post as president of the Royal College of Obstetricians and Gynaecologists.

Mr Manyonda, now a consultant obstetrician at St George's, said his contribution had been merely to discuss a possible new medical technique with Mr Pearce. Following rumours at the hospital in September, Mr Manyonda challenged Mr Pearce about the veracity of the article, but was made to feel foolish, he told the hearing.

"He was very angry at me and expressed surprise that I had doubted his integrity," Mr

Manyonda said. "He was absolutely adamant that it had happened and said that the patient wanted anonymity. I felt rather silly that I had doubted his word," he said.

The GMC professional conduct committee will also examine claims that Mr Pearce concocted a research study on 191 women suffering from ovarian diseases. When asked by Sir William about the supposed trial, Mr Pearce said he had lost the notes of every woman who took part.

Mr Pearce admits arranging for a patient to be booked into the system under a false name. The hearing was adjourned until today.

## Surgeons fuse Reeve's broken spine

FROM BEN MACINTYRE IN NEW YORK

THE paralysed *Superman* actor Christopher Reeve underwent a spinal operation yesterday that may restore some movement to his upper body. But his family is resigned to the probability that he will spend the rest of his life in a wheelchair.

Reeve, 42, crushed two vertebrae in his neck and damaged his spinal cord when he fell from his horse ten days ago. Although he has regained some feeling, the actor remains paralysed from the neck down and is unable to breathe without a respirator.

Dr John Jane, head of neurosurgery at Virginia University Medical Centre, said that the operation to repair the shattered bones in Reeve's neck should enable him to sit upright and reduces the chance of lethal infection. Surgery "holds out the possibility" that he will ultimately regain some independent movement but will not restore his ability to breathe unaided, Dr Jane said.

Surgeons hope that by fusing Reeve's crushed vertebrae and attaching them to the base of his skull with metal plates, screws and surgical wire, the actor may be able to sit up in bed. "The upright position should help him to breathe more easily through the respirator and stave off a recurrence of pneumonia or further injury to the spinal cord. The operation has a 90 per cent chance of success and may have to be repeated. The stress of the operation can result in a fatal heart attack, doctors said."

Reeve's family said that as soon as he regained consciousness, he joked about the riding event, asking his wife Dana: "What was my dressage score?"

## Hospital missed broken neck

A WOMAN sent home from hospital with a broken neck said yesterday that she felt "very lucky" not to be paralysed. Medical staff had failed to spot the injury when Susan Williams, 36, was examined after a car accident.

Mrs Williams, of St Buryan, Cornwall, was treated at the Royal Devon and Exeter Hospital in Wexford, Exeter. She must now wear a metal cage-style neck brace for three months. It was fitted in an emergency operation at Newcastle General Hospital the next day, after the Exeter hospital tried to contact her. Mrs Williams had gone to Tyneside to visit relatives. Mrs Williams had two vertebrae fused together using bone from her hip, and must also wear a body brace.

At a news conference in Penzance yesterday, her legal representative, Marie Vipond, said that the matter would be considered by the Legal Aid Board before any decision on a course of action was taken.

Mrs Williams said: "It is too early to say if I will take the matter any further. My main concern is to make sure it does not happen to anyone else."

Mark Taylor, chief execu-



Susan Williams

tive of the Royal Devon and Exeter Healthcare Trust, said that it had apologised to Mrs Williams for the "distress and anxiety she was caused". He said: "A review of the trust's procedures for the management of neck injuries, and the interpretation of X-rays in the accident and emergency department, is being conducted."

Mrs Williams was with her husband Michael, 36, and their children, Philip, 12, Grant, 10, and Nikita, 8, when their car was involved in the accident. "Lots of X-rays were taken and I had eight stitches in a wound to my head," she said.

A few hours later, the Exeter doctor said she could go. The next day, her husband telephoned Mrs Williams's mother from the train to Newcastle upon Tyne and was told the hospital in Exeter had been urgently trying to get hold of her. She was taken straight into surgery in Newcastle.

## Man claims he learnt he had HIV from notes

By Gillian Bowditch, Scotland Correspondent

A MAN has claimed that he discovered he was HIV-positive only after reading his medical notes when they were left unattended near his hospital bed.

Ronald Campbell, 28, says he was waiting for medication at Aberdeen Royal Infirmary when he picked up his notes and saw the words "HIV-positive" underlined in capital letters at the front.

Mr Campbell, who says he was tested negative for the virus at another hospital two months ago, had been admitted to the Royal Infirmary after suffering an epileptic seizure. He also claims that the hospital took a blood test without his permission.

"It's an absolute scandal that I found out like that. I am out of my mind with worry," Mr Campbell told the *Aberdeen Press & Journal*. He is awaiting results of another test from his GP and considering legal action.

Mr Campbell, of Aberdeen, said he had not put himself at risk of contracting the virus since the previous test.

Aberdeen Royal Infirmary said yesterday it could not comment on individual cases.

A spokesman said the decision to give a patient an HIV test was made at consultant level. Tests were carried out only if necessary for a proper diagnosis, and all patients were counselled. If the patient were conscious, his or her permission had to be given. If the patient were unconscious, the consultant decided if the HIV test was necessary.

Patients were told of the test only if the result was positive. "We may have to run a whole series of tests on a patient to diagnose their condition and many of these tests may prove negative. We don't tell them about all the negative tests," the spokesman said.

The British Medical Association said good clinical practice required the counselling of patients before and after an HIV test. "We do not approve of testing patients when they are unconscious. Even where a doctor is operating on a patient and receives a needlestick injury, we would advise against testing the unconscious patient to discover if there is any risk of HIV infection. This is because of the importance we attach to counselling."

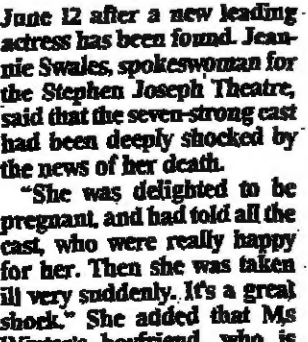
## Star's death halts Ayckbourn musical

By Kathryn Knight

THE opening production of Alan Ayckbourn's new musical at the Chichester Festival was postponed yesterday after the sudden death of the leading actress, who was expecting a baby.

Sophie Winter, 33, who played Gussie in Ayckbourn's *A Word from our Sponsor*, died in the early hours of Sunday morning after complications arising from the early stages of her pregnancy. She had appeared on stage at Scarborough's Stephen Joseph Theatre in the Saturday matinee performance, but was taken ill shortly afterwards and taken to hospital.

A *Word* was due to open at Chichester's Minerva Theatre today for a five-week run after a month in Scarborough but will now begin on



Ayckbourn: tribute

will be greatly missed by us all," he said. "I most especially mourn the loss of her talent. On stage she had that wonderful combination of warmth, vulnerability and goodness, all offset by her own unique comic sense — qualities she had in life, too."

Ms Winter, who was

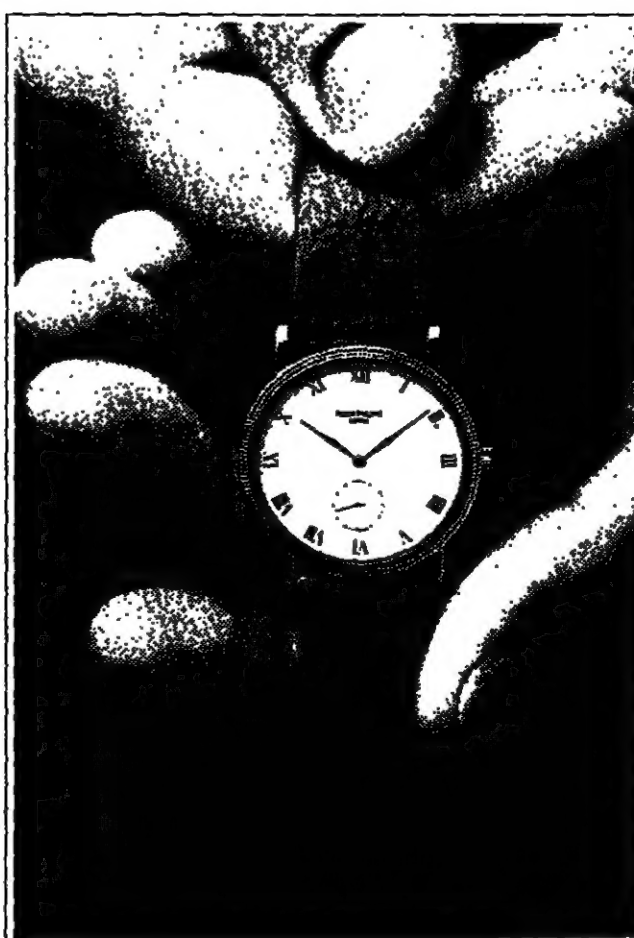
trained at the Arts Educational School in London, was the narrator in a national tour of *Joseph and his Amazing Technicolour Dreamcoat*. She has also appeared in *Oliver!*, *Godspell* and the West End production of *Les Misérables*. In 1986 she went on a national tour of *The Scarlet Pimpernel* with Donald Sinden.

A spokeswoman for the Chichester Festival said that Ms Winter, who lived in Woodford, east London, had a long tradition of acting at the festival, and first appeared in 1985 in a production of Noel Coward's *Camelot*.

The festival has a policy of employing no understudies, she said, which is why the role would have to be recast.

An inquest into Ms Winter's death is likely to take place later this month.

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New evidence lifts hopes of release but republicans say other prisoners must be freed too

## Freedom for Clegg could jeopardise peace, says Sinn Fein

By NICHOLAS WATT  
IRELAND CORRESPONDENT

SUPPORTERS of Lee Clegg, the paratrooper who was jailed for murdering a passenger in a joyrider's car, were confident yesterday that new evidence would lead to the quashing of his conviction.

His legal team claimed the new evidence showed that the shots fired by the soldier at the car in September 1990 were legal. The Northern Ireland Life Sentence Review Board will consider Clegg's case in Belfast today, although it cannot take into account the new evidence.

Simon McKay, Clegg's legal adviser, said yesterday that his client's reaction to the results of the tests was: "It's just about the best news I could have hoped for."

But Martin McGuinness, the Sinn Féin leader, said yesterday that freeing Clegg could damage the peace process.



McGuinness: warning

He told a radio station: "I have no problem with the release of all the prisoners who are in prison as a result of this conflict. But I do have a problem with the British Government extracting this soldier out from all the rest. I think that done in isolation

would be a setback to the peace process."

Clegg, 27, was jailed for life in 1993 for the murder of Karen Reilly, who died after he and colleagues in 3 Para opened fire on a joyrider's car in West Belfast as it sped through a checkpoint in 1990. The paratrooper, who fired four shots into the car, said that he had opened fire because he believed the vehicle was being driven at him.

At his trial at Belfast Crown Court, Mr Justice Campbell accepted that Clegg's first three shots were fired in defence. But the judge convicted him on the ground that the fourth shot was fired into the rear of the car after the perceived threat had passed.

Mr McKay said yesterday that the new evidence, based on ballistics and forensic tests, challenged the prosecution's case on two fronts. He said the tests showed that Reilly was injured by bullets fired into



Lee Clegg with his father Stanley. Clegg said the evidence was "just about the best news I could have hoped for"

the side of the car and not by bullets fired into the rear of the vehicle, as the prosecution claimed. These shots would have been legal. Also, the shots fired into the rear would have fragmented and could not have killed Reilly.

The tests were carried out by Dr. Iain West, a leading pathologist, and Dr. Graham Renshaw, a ballistics expert. Bullets were fired into a Vauxhall Astra moving at the same speed as that which

Reilly was in. The gun and bullets were the same.

Dr West was unavailable for comment yesterday. Mr McKay said: "When you have experts of that quality saying they do not believe that Private Clegg fired after the car had passed, then I am confident that his conviction is unsafe and unsatisfactory."

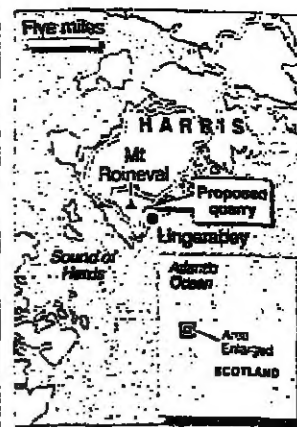
Mr McKay hopes to present the new evidence to Sir Patrick Mayhew by the end of next month. The Northern Ireland

Secretary could then refer the case back to the Northern Ireland Court of Appeal, which could quash his conviction.

The Northern Ireland Life Sentence Review Board, which meets today, could recommend Clegg's immediate release from prison on licence, although his conviction would still stand, on the ground that he has paid his debt to society and is not likely to re-offend. The Northern

Ireland Office has said there are "mitigating factors" in Clegg's case which means that the board is considering his case seven years before the normal date.

The review board, chaired by Sir John Chilcot, Permanent Under-Secretary at the Northern Ireland Office, makes its recommendations to Sir Patrick. If it does not recommend release, it could agree to review the case at a later date.



## Islanders close to quarry victory

By GILLIAN BOWDITCH  
SCOTLAND CORRESPONDENT

THE Western Isles Council is expected to overturn its conditional planning consent for a giant quarry on Harris after a poll of islanders showed that most were against the £70 million development.

Passions have been running high over the quarry since it was announced. In 1993, islanders voted 2 to 1 in favour, although those living in Lingarabay, where the quarry would be based, opposed it. In a poll last week of 1,000 islanders, 68 per cent voted against it.

The council said in 1993 it was "minded to grant" permission for the quarry. Since then 19 of the 30 councillors have been replaced and most of the council is believed to be opposed to the quarry, proposed by Redland Aggregates.

The council met last night to discuss the issue but changing its mind about planning consent could be costly. The council could be sued by Redland, which has borne about half the £2 million cost of a public inquiry into the scheme, which started in October.

The company may argue that it would not have done so without the conditional support of the council. The council is taking legal advice. A spokesman said yesterday: "The implications could be very serious financially."

Islanders in favour of the quarry have argued that it will bring badly needed jobs. Those against have protested about the dust, din and environmental damage which would be caused by extracting the 600 million tonnes of anorthosite over 60 years.

Norman Macleod, 69, a crofter, told the inquiry, which has been continuing for eight months, that the quarry would produce "a huge pall of death-grey dust that will find its way into every corner of our homes, into our lungs, shortening our lives."

At the hearing yesterday, Roy Martin, QC, for Redland, accused Scottish Natural Heritage of "environmental selfishness" by saying that Norway or Spain were better sites for big quarries.

The inquiry is expected to finish in a few days and a decision will be made by the Scottish Secretary, Ian Lang.

## Sectarian job advert embarrasses police

By GILLIAN BOWDITCH

STRATHCLYDE Police, Scotland's biggest police force, is to review its publishing procedures after a sectarian advertisement appeared in its in-house magazine.

The advert, placed by Strathclyde Regional Council for an educational trust which awards student grants, states that applicants must be Protestant. The advert has appeared in *Newsbeat*, Strathclyde Police's in-house journal.

The advert has caused outrage among Catholics in Glasgow where support for the two main football teams, Celtic and Rangers, is still divided on sectarian grounds.

The advert has been condemned by the Scottish Police Federation as "not only politically incorrect but well out of order". It is for a general educational trust administered by Strathclyde Region and is not specifically aimed at policemen. Nevertheless it has caused embarrassment within the force, which has worked hard to ensure impartiality.

Superintendent Louis Munn, who is in charge of media services at Strathclyde, said the matter had been taken up with the publishers and in future the wording of each advert would be checked by the police.

## School sport drive backed by Major

By JOHN O'LEARY, EDUCATION EDITOR

JOHN MAJOR announced yesterday that the Government will present a new initiative on sport in schools in the next few weeks, but he admitted that his crusade to restore sport to a central place in the life of every school would have to be a gradual process.

Speaking at a charity luncheon, the Prime Minister blamed the educational establishment for relegating sport to a minor role. The new move will try to reverse the trend and will include a new deal for "elite sport".

Mr Major has been backing calls for a renaissance in school sport for more than a year, but detailed plans have

been dogged by inter-departmental squabbles and practical problems.

The proposals will include measures to strengthen links between schools and sports clubs, as well as requiring governors to publish more information on representative games. Mr Major said he wanted to ensure the place in school life of the "great traditional sports".

Mr Major said: "I can't readily accept a situation in which most 14-year-olds are offered only an hour and a half a week of physical exercise in our schools while surveys tell us they spend a day and a half a week watching television."

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For further information on the Tourer call 0345 186 186.





# Solicitors wear down barristers' monopoly

By Frances Gibb, Legal Correspondent

SOLICITOR-advocates are beginning to cut heavily into the Bar's work in the criminal courts, taking on scores of big criminal cases which traditionally would have gone to barristers.

The first evidence is emerging that in Scotland, where the Bar's monopoly of higher courts was removed two years ago, government reforms are taking effect.

In Glasgow, the busiest centre for criminal work, solicitor-advocates are estimated to be dealing with a third of serious criminal cases, including murder, armed robbery, rape and serious violence offences.

In England and Wales, the junior end of the criminal Bar is already fighting against growing competition from solicitor-advocates. Today a new training centre for solicitor-advocates is launched by Nottingham Law School with the backing of a consortium of City law firms that have well-advanced programmes to train their own advocates for civil cases.

Bruce Ritchie, a deputy secretary of the Law Society of Scotland, said that of the 8,000 solicitors in Scotland, about 80 now had higher rights of audience, 50 of them in the High Court, which hears the most serious criminal cases.

The Faculty of Advocates has 350-400 practising members, which means that solicitor-advocates amount to one for every half-dozen barristers. "Historically, solicitors were already used to handling jury trials in Scotland before the reforms, as they took cases in the sheriff courts," Mr Ritchie said.

"The barristers don't see solicitors as a threat on the civil side but I think there is more concern about the impact on criminal work."

part on criminal work. The faculty has prohibited counsel from appearing in cases alongside solicitors — a practice known as a "mixed double" — but the ruling has rebounded. Some counsel are reporting that solicitors are running their own cases and not using counsel at all.

Gerry Brown of the large Glasgow law firm Livingstone Brown confirmed that work for solicitor-advocates was rising. "I estimate we are handling between 35 per cent and 40 per cent of the court sittings a month. There is a gradual realisation that the public and the profession have a choice."

Some solicitor-advocates were being instructed by other firms, he added, acting as freelance advocates. "Generally speaking it is working successfully, but one reason for that is that the judges, particularly Lord Hope [Lord Justice-General of Scotland], have been very encouraging and helpful when solicitors have appeared before them."

Tony Quinn, secretary of the Society of Solicitor-Advocates, said: "In the old days we had to pass the case to counsel. Now we can continue to handle it ourselves, which means continuity, which can be an advantage."

The new National Institute for Trial Advocacy (UK), an offshoot of the American organisation of the same name, is being advised by senior judges and will be launched today by the Master of the Rolls, Sir Thomas Bingham.

Professor Nigel Savage, the Dean of Nottingham Law School, said that the venture was a "powerful union" which would produce a range of litigation and advocacy programmes from the autumn.



Lloyd Webber: honoured

## Sunset hogs the limelight at Tony Awards

From Ben MacIntyre in New York

THE Lloyd Webber musical *Sunset Boulevard* swept the board at the Tony Awards, winning more accolades than any other production.

Sir Andrew received the award for Best Musical, and Glenn Close won the Best Actress award for her performance as Norma Desmond, the fading film actress, which she said had become a "classic role in the musical theatre". The production picked up five other awards in Broadway's version of the Oscars, including two, Best Book of a Musical and Best Score, for which there were no other entries. The production was nominated for a record-breaking 11 Tonys.

The forty-ninth Tony Awards ceremony took place on the lavish set of *Sunset Boulevard*, which also received honours for Best Scenic Design and Best Lighting. George Hearn, who plays Desmond's devoted butler Max, was named Best Featured Actor. Ralph Fiennes, the British actor who was nominated for an Oscar for his role in *Schindler's List*, won the



Glenn Close, winner of the Best Actress award, with Ralph Fiennes, named Best Actor for *Hamlet*

Tony for Best Actor for his performance in *Hamlet*.

The closest rival to *Sunset Boulevard* was a revival of *Showboat*, the 1927 Jerome Kern-Oscar Hammerstein musical, which won five awards. Only 28 productions opened on Broadway in the 1994-1995 season, of which more than half were revivals of old plays and musicals.

Another acclaimed British import, a production of Jean Cocteau's *Les Parents Terribles*, retitled *Indiscretions* for American audiences, was given the cold shoulder by Broadway's 714 Tony voters. It was nominated for nine awards, and won none.

### TONY AWARD WINNERS

Play: *Lovel Valour! Compassion!*, by Terrence McNally; Musical: *Sunset Boulevard*; Actor: play: Ralph Fiennes, *Hamlet*; Actress: play: Cherry Jones, *The Heiress*; Actor, musical: Matthew Broderick, *How To Succeed in Business Without Really Trying*; Actress, musical: Glenn Close, *Sunset Boulevard*; Book, musical: Christopher Hampton and Don Black, *Sunset Boulevard*; Score, musical: Andrew Lloyd Webber (music), Christopher Hampton and Don Black (lyrics), *Sunset Boulevard*; Director, play:

Gerald Gutierrez, *The Heiress*; Director, musical: Harold Prince, *Showboat*; Featured Actor, play: John Glover, *Lovel Valour! Compassion!*; Featured Actress, play: Frances Sternhagen, *The Heiress*; Featured Actor, musical: George Hearn, *Sunset Boulevard*; Featured Actress, musical: Gretha Boston, *Showboat*; Revival, play: *The Heiress*; Revival, musical: *Showboat*; Scenic Design: John Napier, *Sunset Boulevard*; Costume Design: Florence Klotz, *Showboat*; Lighting Design: Andrew Bridge, *Sunset Boulevard*.

*Sunset Boulevard*; Choreography: Susan Stroman, *Showboat*; Special Tony: Lifetime Achievement Awards to Carol Channing, currently in a pre-Broadway tour of *Hello, Dolly!*, and to Harvey Sabinson, who has been with the League of American Theaters and Producers since 1976 and executive director since 1982. For continued excellence by a regional theater: Goodspeed Opera House of Connecticut. For outstanding contribution to the theatre: the National Endowment for the Arts.

### NEWS BRIEFS

## Four years for driver who killed friends

A youth who killed two friends when a car they had taken struck a bus shelter was yesterday sent to a young offenders' institution for four years. Timothy Liddell, 18, of Hartlepool, had been freed three times in 18 months after taking cars. Yesterday, at Teesside Crown Court, he admitted aggravated vehicle-taking by driving dangerously, resulting in the deaths, in January.

## Opera house fire

Firefighters were called to Glyndebourne Opera House at 4am yesterday after a fire which broke out in the winch room spread quickly to the upper circle. It was soon put out and there were no suspicious circumstances.

## Blandford sought

A warrant for the arrest of the Marquess of Blandford was issued by City of London Magistrates' Court when he failed to appear to face driving offences yesterday. The marquess had also failed to attend an earlier hearing.

## Soldier killed

Scott McGregor, 18, a private in the Black Watch regiment, was shot dead yesterday during target practice at an Army training camp in Otterburn, Northumberland. Police said he was killed by a shot from a standard Army rifle.

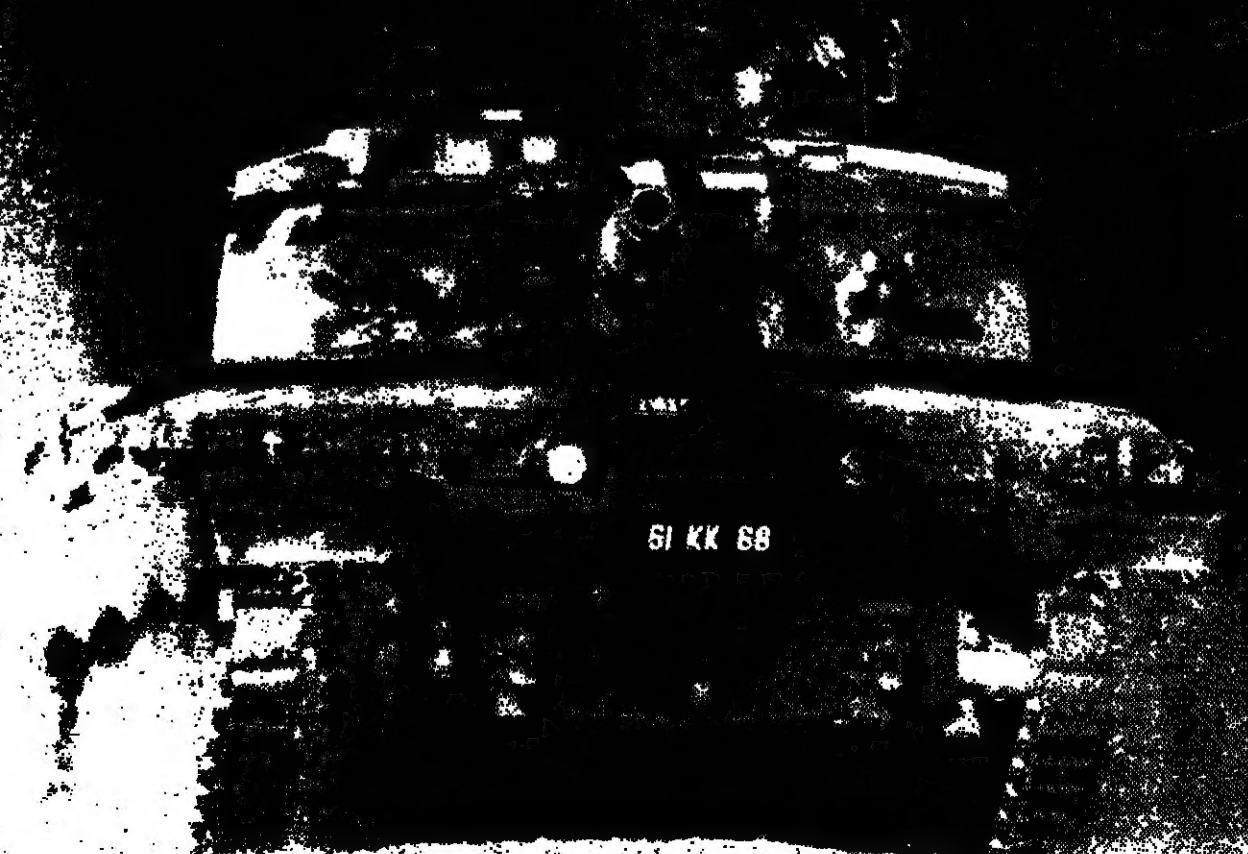
## Grapes of Wath

Nine varieties of French and German vines are being grown at a disused colliery at Wath upon Dearne, North Yorkshire, as part of a £125 million "living ecological museum". The first wine is expected in 1997.

### CORRECTION

Miss Diana Warwick does not receive any emoluments for her work on the Nolan committee (report, May 23).

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SI KK 68

The Vickers group consists of over twenty companies with one thing in common. All are quality brand names and market leaders. Take Vickers Defence Systems and Rolls-Royce Motor Cars for instance.

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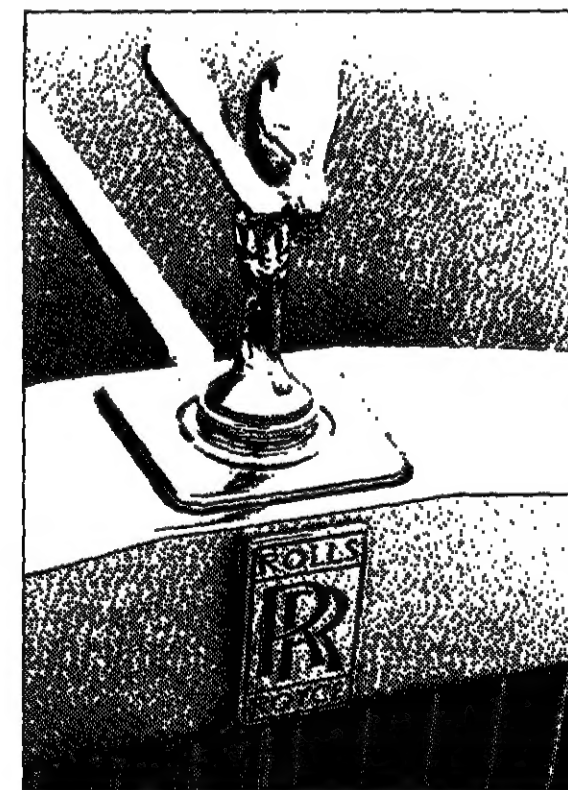
With an order book worth in excess of £1.5 billion (11 times the division's 1994 turnover), Vickers Defence Systems can look to the future with confidence.

Another Vickers P.L.C. company that is securing its future is Rolls-Royce Motor Cars.

Two years ago, losses were turned around as management and workforce rose to the challenge of revolutionising working practices to create a leaner company with a substantially reduced break even point.

Add this to the recent collaborative engineering and supply arrangement with BMW and it's easy to see that the company is well placed for medium and long term advancement.

Last year, the automotive grouping of which Rolls-Royce Motor Cars is a key part, doubled its profits to £21 million.



Profits Increase: Automotive grouping profits doubled in 1994 to £21m.

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Project Management: Last summer the National Audit Office cited Challenger 2 as one of the MoD's three major equipment orders on time and on budget.



Miners' strike set three generations of Yorkshire pit family against community bobby, court told

## Policeman sues neighbours for 'ten-year hate campaign'

By PAUL WILKINSON

THE village bobby in a Yorkshire pit community became the target of a ten-year hate campaign sparked by the clashes between police and pickets during the miners' strike in 1984-85, a court was told yesterday.

PC Arthur Horne, 45, claimed that three generations of a Yorkshire mining family made life in South Kirby, West Yorkshire, intolerable for him and his wife Julie, 44. He said they were regularly subjected to threats and abuse, his pet dog was given rat poison, and his movements were videoed and recorded in a daily log.

Leeds County Court was told that PC Horne and his wife were wrongly accused of sending hate mail to their neighbours, and he was forced off the village gala committee and out of his post as community policeman by the animosity. He had to take time off work suffering from depression.

Yesterday PC Horne sought to end what his counsel called "ten years of misery" by suing Bill Wright, 60, a miner; his wife Mollie, 58, who sits on Wakefield council; their son Anthony, 40, also



Arthur and Julie Horne claim they were abused and threatened

a miner; his wife Angela, also 40, and grandson Dean, 21, for damages for harassment, nuisance and trespass.

Geoffrey Nice, QC, told the court that the PC and his wife were "besieged" in their semi-detached house in Park Avenue, where they had moved in 1973. Bill and Mollie Wright live in the adjoining semi

and the rest of the family occupy a bungalow opposite. He said: "The plaintiff says that he has been the subject of a pretty unrelenting campaign and wants substantial damages. The Wrights have been shown to be people who will not stop, unless restrained."

Relations soured when Bill and Anthony Wright joined the miners'

strike. The Wrights were convinced PC Horne was involved in a "back to work movement" — although, as a community policeman, he was not involved in policing the dispute.

Mr Nice said: "With life without work and wages, there was a potential for bigoted attitudes to develop against the police. Unfortunately, these attitudes developed in a way that proved to be irreversible."

When the year-long dispute ended the animosity remained. The PC was called "scab" and "black bastard" because of his uniform. In February 1986 Anthony Wright allegedly assaulted Mrs Horne in an alley and attacked her husband when he tried to arrest him. Soon after, he Wrights claimed they received hate mail. The Hornees were fingerprinted but exonerated.

In June the following year, Anthony set up a video camera, apparently to capture Mrs Horne making "rude gestures". High-powered lights, triggered by movement, were fitted on the bungalow and shone into the Horne's house.

In September, Angela, who watched the Horne's front door on



Molly Wright leaving Leeds County Court with her husband William, top left, grandson Dean, top right, and son Tony. They are accused of making the lives of PC Horne and his wife a misery

her TV screen and kept a diary of their activities, allegedly said to Mrs Horne: "We can see inside and outside your house. We know every move you make." The Wrights claimed they were being bugged.

On July 25, 1993, PC Horne found his Rotweiler dying in its

kennel. The vet said it had been poisoned. Mr Nice said that it was his client's belief that the poison was thrown over from next door. The Wrights then alleged that Mrs Horne had thrown weedkiller over their fence.

In October 1993, Bill and Mollie

Wright also put up lights and a camera facing the Horne's home. Next month PC Horne obtained a court order for the removal of both cameras. The couple then put their house up for sale, but so far no buyer has been found.

The hearing continues today.

## Minister backs protesters who 'bounce' cars

By NICK NUTTALL, ENVIRONMENT CORRESPONDENT

A GROUP of mainly elderly pedestrians who bounce cars off pavements in protest at the "car culture" won the surprise backing of a government minister yesterday.

Steven Norris, the junior transport minister, said that several anti-car groups were living in fantasy land. But he said that the Pedestrians Association, which has joined several new groups in taking action against cars, traffic levels and exhaust fumes, were "within their rights" to push cars off pavements. Members of the group descended on a street in Tufnell Park, north London, recently and pushed cars from pavements into the road.

Mr Norris, speaking at a local authority launch of Don't Choke Britain, a public transport campaign aimed at encouraging more people to use buses, took the opportunity, however, to admonish a new organisation called Reclaim the Streets. Last month it blocked off a north London high street using scrap cars, banners and a tea party.

"I have read one of their leaflets. They appear to want to return central London to a park-like, pastoral, calm," said Mr Norris. He said this was not only "absurd" and "unrealistic" but ignored the fact that traffic was needed for economic activity.

But Mr Norris said: "The Pedestrians Association is not simply the elderly chapter of Reclaim the Streets. What they are doing is very sensibly pointing out that many short journeys do not have to be

made by car." The minister's support has delighted Faith Lawson, the Pedestrians Association's 73-year-old chairman. She said: "We have been campaigning for donkeys' years to improve the walking environment and make it safe. We have won a few points but not changed government policy radically. It still deals with the symptoms and not the cause which is too many cars."

Changes to rural roads are causing a blot on the landscape, the Countryside Commission said yesterday. It said country roads were assuming an urban look because of an increase in signs, electric kerbs, roundabouts and intrusive lampposts.

The commission urged that over-maturing roadside trees be replaced "and, once familiar, black and white 'pointing finger' posts be reintroduced to country lanes keep the character of the countryside."



Norris supports action

## Women prisoners increase by 30%

By LUCY BERRINGTON

THE number of female prisoners has risen by 30 per cent over two years, and half have small children, a report published yesterday said.

More than 2,000 women, most of whom have dependent children, are imprisoned in England and Wales, the study in *She* magazine found. Most are on remand or have been sentenced for minor offences, such as defaulting on television licence and poll-tax fines.

The report attributes the increase to "the Government's 'crackdown on crime', whereby women receive custodial sentences for offences which would once have merited a conditional discharge or community service". Chris Tchakovsky, of the organisation Women in Prison, said: "The 'prison works' policy is hitting

women harder than men because the vast majority of women's offences are crimes of poverty rather than criminal intent." In 1993, 288 women were imprisoned for non-payment of a television licence fine, compared to 200 for violent crimes.

Families in which the mother has been jailed are much more likely to break up immediately than those in which the father is a prisoner.

The cost of imprisoning a typical offender on a TV licence fine (£1,000) is £2,130 — covering detection, prosecution, imprisonment and child care, according to Dr David Wall of Leeds University. Brendan O'Friel, chairman of the Prison Governors' Association, said: "It is a terrible waste of our resources."

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# Sale unlocks home which became jail for three sisters

By JOHN SHAW

THE story of three reclusive sisters, discouraged from marriage by a dominant father, emerged yesterday as the contents of their country house were put up for auction.

Nancy, Dorothy and Violet Churchman, known as "the aunts", lived at Melton Lodge, a 19th-century Grade II listed house near Woodbridge, Suffolk, bought in 1921 by their father, Sir William Churchman, a deputy lord lieutenant of the county.

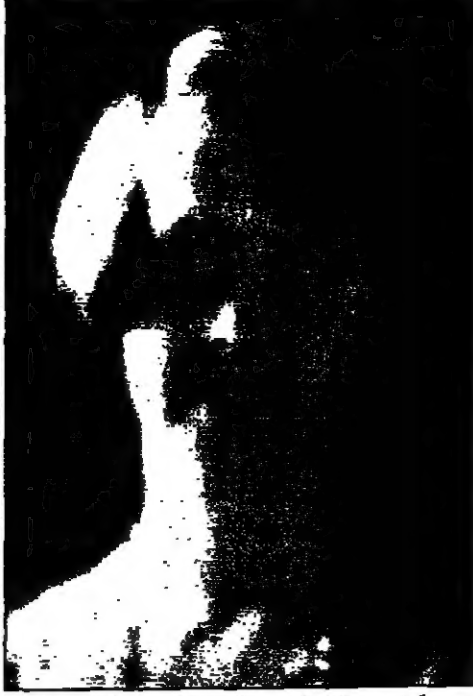
Violet outlived her sisters and when she died aged 92 in 1993, she left the house to her great-nephew, Bill Warburg. He sold it for about £775,000 to help to pay inheritance tax. Sotheby's is to auction the contents in the house grounds on June 27.

Sir William and his brother Alfred, high sheriff of the county, MP for Woodbridge between 1920-1927, and later Lord Woodbridge, made a fortune from Churchman cigarettes, based in Ipswich. A wing at the local hospital and a stand at Ipswich Town football club carry the Churchman name.

Sir William made clear his disapproval of marriage after his fourth daughter Phyllis made what he considered an unsuitable match. Mr War-



Violet, left, and the Grade II listed home she shared with two sisters. Her father forbade them from marrying after another daughter, Phyllis, right, made an "unsuitable match"



burg, 34, said: "Sir William was a local benefactor but he was a very dominant man indeed and basically the aunts obeyed him and stayed at home."

Penny Warburg, 39, his wife, said: "Phyllis married a young officer in either the army or the air force but he was considered unsuitable. I

think the feeling was that she had married beneath herself."

Phyllis died shortly after giving birth to a daughter, Primrose, "and after that her husband sort of dropped out of the picture. Nobody ever talked about him."

The three sisters were talented; Nancy wrote an unpublished novel, Violet wrote

poetry and all three drew and painted. They were keen gardeners and attended the local church, but otherwise lived reclusive lives.

Sir William died in 1947. His large mahogany desk was closed and reopened only recently by Mr and Mrs Warburg, who found Christmas cards and other corres-

pondence going back to the 1920s.

Mr Warburg said: "The aunts kept everything, every chequebook they ever used for the past 50 years, wartime ration books, receipts from old shops from the days when they used to sign things over a postage stamp. Ipswich Museum has taken away a whole

load of things like that to do with the Churchman connection."

Mrs Warburg said: "The place was like a time capsule. There were saddles still in the stableblock. Charlie [their son, aged 2] was rummaging about with a friend in a shed behind the hen house and they came out wearing gas

masks. They hadn't a clue what they were. Nothing was ever thrown away."

Despite having no children of her own, Violet had a way with children. Mrs Warburg, who has a daughter called Isobel, seven, said: "She was a lovely lady. Even when our children were rummaging around she never lost her

cool. She had a knack with them and they behaved well for her. She could handle them and this was when she was well into her 80s. It always seemed to me a shame she never had any of her own."

As well as Regency and 18th-century furniture, silverware and items of Lowestoft Porcelain, there is a pair of 1940s ladies' cycles and suitcases from the days when the family went on Cunard cruises.

Sir William loved flower paintings and nine are on offer. Violet gave the best, a still-life by Jan van Os, the 18th-century Dutch master, to the National Gallery. It is said to be worth £1 million.

The gift, made in memory of her two sisters, could have saved the estate from being sold had it been given in lieu of death duties, but Mr Warburg is philosophical. "It would have solved a lot of problems. The aunts were always frightened by professional people and always thought they were going to take their money away."

After all, it was her picture and that was what she wanted. It was a fantastic painting. The National Gallery has used the design for a carrier bag and wrapping paper. It is a sort of logo now."

## Picnic rapist is linked to earlier double attack

By PAUL WILKINSON

THE youth who raped two 12-year-old girls at knifepoint as they walked home from a picnic may have committed an earlier assault, police said yesterday. They linked last week's rape with a similar attack two months ago, less than a mile from the scene of the double attack in Greater Manchester.

A chubby white youth with "slitted" eyes was seen watching the girls as they set up their picnic in a country park in the Waterhead area of Oldham last Wednesday. His description matches that of a boy aged about 15 who attacked two girls on March 21. Police plan to visit schools in the hunt for the rapist.

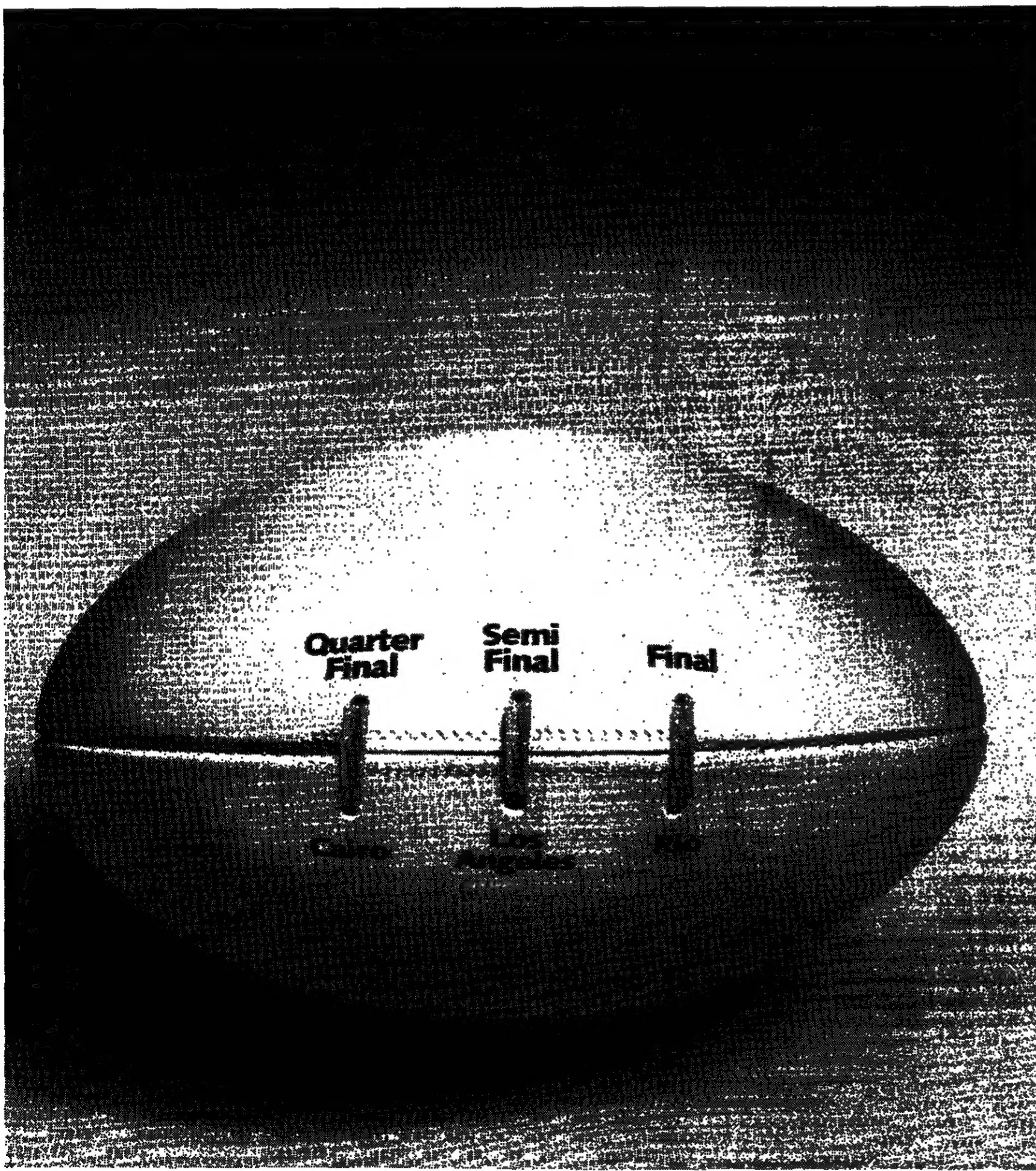
Yesterday Detective Chief Inspector Geoff Isaacs, who is leading the inquiry, asked parents to harden their hearts and to come forward if they thought their son was responsible. "I would urge any parent who may be suspicious to consider what we are investigating. I suggest if they have any suspicions they are never going to be comfortable until such time as those suspicions have been resolved."

On March 21 two girls were stripped from the waist down and indecently assaulted. The

boy ran off with with their clothes when he was disturbed by a woman riding a horse. His victims described him as white, 14 or 15 years old with a chubby face and wearing a dark jacket and a woolen balaclava, a similar description to that given by the 12-year-olds last week.

Mr Isaacs said the youth seen watching the picnicers had light brown hair, long enough for the beginning of a pony tail, and "a permanent smirk and thin eyes, but I would say these are slitted eyes. The attacker is described as babyish-looking. Both attacks took place during school holidays. We will be visiting schools in our investigations. On each occasion the knife had a rusty blade, which makes me wonder if the attacker 'hides' the knife outside."

Isaac's Police are linking the rapes of three patients lured from two psychiatric hospitals at Colchester and Wickford with that of a widow aged 66 who met her attacker in a Chelmsford shopping centre. In each case a 40-year-old man, described as "good-looking, a real charmer", persuaded the women to accept lifts in his new red car.



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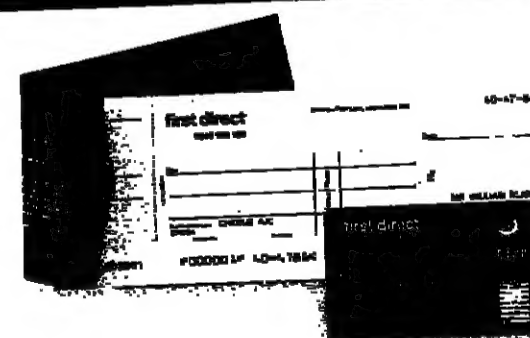
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'He finds himself in the dock not because of what he did but because of who he is; his father's son'

## Ian Maxwell 'was not a deliberate fraudster'

By MICHAEL HORSNELL AND JON ASHWORTH

ROBERT MAXWELL gave his son Ian no financial role in the running of his group even though he was a director of 300 companies, the Old Bailey was told yesterday.

His father's "powerful" personality was such that on one occasion Ian, 38, had "the distinction of being sacked by his dad for the heinous offence of failing to turn up and collect him from the airport".

The portrait of their relationship was drawn by Edmund Lawson, QC, for the defence, on the fourth day of Ian's trial for fraud with his brother Kevin and two former financial executives of the Maxwell group, which crashed in 1991.

Mr Lawson told the jury: "Ian Maxwell finds himself in the metaphorical dock, not because of what he did but because of who he is, a Maxwell and his father's son." The trial is being held at Chichester Rents, an Old Bailey annexe designed for

lengthy fraud trials, which does not have an official dock.

Later the court was told that the day after Robert Maxwell was lost at sea, his son Kevin offered all of the group's properties to the pension fund to make up for missing millions.

After Maxwell fell overboard from his yacht *Lady Ghislaine* in early November 1991, Ian Maxwell was given the task of arranging the funeral. Mr Lawson said Ian had been involved in the public relations and marketing side of the publishing empire as a "roving ambassador". He had to turn to others for financial advice.

When "shoved into the limelight" by the emergency and suspension of shares in Maxwell Communication Corporation, he "relied on his brother Kevin, who was a financial man. He trusted him and still trusts him as a colleague, friend and brother."

Mr Lawson said that a

criticism of Ian might be that he put too much faith in others and allowed himself to be led, but that did not make him "a deliberate and dishonest fraudster".

Although he was a director of Bishopsgate Investment Management (BIM), the Maxwell pensions management company, he attended only seven of 70 board meetings in 2½ years and had no involvement in investment or dealing with the banks. Any suggestion that he knew of the financial risk when £22 million of shares in the Israeli company Teva Pharmaceuticals were transferred from BIM to Robert Maxwell Group (RMG) was "repugnant".

The Maxwell brothers, with Larry Trachtenberg, 42, and Robert Bunn, 47, deny conspiring to defraud Maxwell pensioners of the shares. Kevin also denies conspiring with his father to defraud pensioners of shares worth

£100 million in the Israeli-based Sciex Corporation.

Later, the court was told of the scenes in Kevin Maxwell's office the day after his father was reported missing. Trevor Cook, BIM's former compliance officer, said it "looked like Piccadilly Circus" with people coming and going. Kevin, he said, was "surprisingly resilient, very tired, very concerned, but appeared to be on the ball".

Mr Cook, questioned by Alan Suckling, QC, for the prosecution, said he had asked Kevin about the whereabouts of the Sciex shares, which had been "sold" by BIM to RMG in July, but for which payment had not been forthcoming. Kevin had said he "did not know" where the money was, but wanted to ensure the pension fund was "all sorted" as a matter of priority. He pledged properties in the Maxwell Group as security against the money owed. A further \$77 million from a disposal in



Ian Maxwell arriving at court yesterday with his wife Laura. The jury was told that he had no financial role

America would follow. During his attempts to track down the missing funds, Mr Cook sent a memo to Kevin on November 15, saying that at least £296 million appeared to be owed by RMG to BIM. A separate memo referred to missing share certificates, and

securities that appeared to have been sold without reference to the compliance officer. Documents indicated that Kevin Maxwell and National Westminster Bank had approached the Bank of England with a view to raising an additional £250 million. This

would be used to settle outstanding exposure to BIM. In a memo to the BIM directors on November 18, Mr Cook said "a number of discrepancies" between records and securities held had come to light: "It is clear the funds now have a very high expo-

sure to the Robert Maxwell Group which requires urgent action." At a board meeting the same day, Mr Cook was told that BIM's assets exceeded its liabilities by about £500 million, and that the funds were "perfectly safe". The trial continues.

## Inspectors urge schools to set more homework

By BEN PRESTON, EDUCATION CORRESPONDENT

STATE schools must take homework more seriously and wield it as a frontline weapon in the battle to raise standards, inspectors urged yesterday.

The Office for Standards in Education said although most schools set some homework, there were wide variations both in the amounts children were required to do and the attention it received from teachers. Many pupils actually enjoyed homework and spent more time on it than their teachers suggested.

In a report, *Homework in Primary and Secondary Schools*, the inspectors called for the introduction of "homework charters" to ensure greater consistency. They said clear school policies encouraged teachers to set and mark homework more rigorously and led to greater parental involvement in education.

The inspectors said that homework was an effective way of improving pupils' study skills and attitudes to learning as well as widening the curriculum. Teachers said it encouraged children to develop perseverance, initiative and self-discipline.

Chris Woodhead, Her Majesty's Chief Inspector of Schools, said the report showed that homework had an important contribution to make to children's progress. He said: "Schools which adopt the best practice in homework are likely to be those which have high expectations of pupils' commitment, enthusiasm and ability. They provide a shining example for others."

In primary schools, the inspectors said the most effective homework policies involved a gradual increase in the amount of work expected from year to year. Pupils aged five to seven were expected to spend only five to ten minutes working at home each night,

most often reading to a parent. But for children aged seven to 11, the time spent on homework ranged between one and four hours a week.

Girls were most likely to be conscientious and many spent considerably longer on projects "in a desire to achieve high standards or to please their teachers".

The burden of homework became heavier at secondary level but varied considerably between schools. Younger pupils were often set tasks which lasted between 20 and 30 minutes but up to an hour could be allocated to each subject. Pupils studying GCSE courses were generally set at least an hour of homework a week for each subject, rising to 90 minutes in the year before their examinations. Pupils also reported that they frequently worked much longer than expected to meet coursework deadlines.

British children do slightly less homework than their counterparts abroad. The typical 14-year-old does about 4½ hours each week in Sweden, six hours in Britain, eight hours in Italy and almost nine hours in Hungary, Japan, Holland and Poland.



Woodhead: work varies

## Third of children watch TV after 9pm

By ALEXANDRA FREAN, MEDIA CORRESPONDENT

ONE third of children aged between seven and 17 watch television beyond the 9pm watershed, according to a survey published yesterday.

The study, entitled *Class of 94*, reveals that the watershed, which is supposed to shield young viewers from television programmes containing strong language and explicit sex and violence, is becoming meaningless as children increasingly take charge of their own viewing.

Roger Munby, managing director of Strategic Marketing and Research Consultants, which conducted the research, said that the average number of televisions in households with children is 2.6. Seventy per cent of boys and 57 per cent of girls have sets in their own rooms. Of these, 16 per cent also have their own video recorder and 32 per cent have access to cable or satellite channels.

"There is a hard core of children exercising a high degree of control over their viewing. For example, weekends, more than half the

boys between seven and 17 who have a television in their room are viewing after the 9pm watershed," he said.

The survey also showed that children with their own televisions watch the equivalent of an additional two hours a week. Nearly 60 per cent of these said that they watched more than three hours of television a day while 12 per cent said they watched more than five hours.

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## SCOTT INQUIRY: Tory loyalists fear damage to government stability

## Report seen as timebomb threat to John Major

By Philip Webster, Political Editor

MINISTERS voiced strong misgivings yesterday over indications that the Scott report into the arms-to-Iraq affair will be delayed until the late autumn.

It means that a timebomb that has been ticking under the Government for two and a half years is now primed to detonate at a time when John Major could be at his most vulnerable.

Although many in the Government share the concern of senior civil servants at the way the investigation has been conducted, ministers accept that Sir Richard Scott will not tolerate an indefinite delay in publication. In spite of accusations yesterday that the Government is dragging its feet, some of the ministers most closely involved have been privately voicing the belief that the uncertainty should be cleared away as soon as possible.

Mr Major's limited reshuffle next month is unlikely to affect the principal figures in the drama, Sir Nicholas Lyell, the Attorney-General, William Waldegrave, the Agriculture Minister and former Foreign Affairs Minister, Kenneth Clarke, the Chancellor, and Malcolm Rifkind, the Defence Secretary. But if the reports findings are so strong that any of the main characters feel obliged to resign, or Mr Major is inclined to sack them, he could be faced with another reshuffle at an inconvenient moment.

However, the greatest fear of Mr Major's supporters is that the report could destabilise the Government if it is published in the autumn at a time when his enemies are trying to organise a leadership putsch against him. His strongest opponents are predicting that a "stalking-horse" will challenge him in November and that a large number of Conservative MPs will ab-

stain to demonstrate that they want him to go.

The anger among Tory MPs over the findings of the Nolan Committee on Standards in Public Life, and the irritation that they are directing at him for setting it up, is said to have increased the likelihood of an attempt to oust him. Some Tory MPs in marginal and near-marginal constituencies are saying that while a change of leadership might not save the Government as a whole, it could just help them to hang on to their seats in Parliament.

Mr Major's supporters counter that forecast by asserting that he will resist any attempts to remove him and that no blame can possibly attach to him over the Scott inquiry's findings. They point out that there is no consensus among Conservative MPs over a successor and that Mr Major will face down his critics as he did last year.

Even so, Labour believes that the publication of the report will mean another severe knock for the Government's reputation. Sir Nicholas Lyell appears to be most under threat because of his role in persuading Michael Heseltine, President of the Board of Trade, to sign a public interest immunity certificate that prevented documents crucial to the defence from being disclosed in court.

Mr Rifkind, and Mr Clarke, who was then Home Secretary, signed similar certificates. Mr Heseltine, whose reluctance to sign was made known during the investigation and who is the man most frequently named as a short-term successor to Mr Major, is likely to emerge unscathed when Sir Richard finally delivers his conclusions.

Report delayed, page 1  
Leading article, page 21

## Ministers accused of mounting a slur campaign

Nigel Williamson  
Whitehall Correspondent

MEMBERS of the Scott inquiry team believe that some civil servants and ministers, having seen sections of the draft report, have been denigrating it in advance of publication.

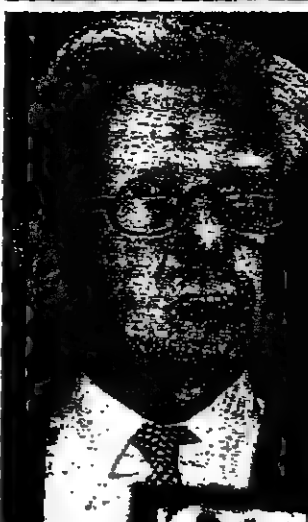
There are tales of a less than cordial relationship between the Cabinet Office and Scott officials, but the most vocal opposition has come from the former Foreign Secretary Lord Howe of Aberavon. He says that he is speaking on behalf of officials, particularly in the Foreign Office, who are not being given an opportunity to clear their names in public.

During the course of the inquiry, set up after the collapse in 1992 of the trial of three executives of the Coventry firm Matrix Churchill charged with selling arms-related equipment to Iraq, questionnaires were sent to 268 individuals. Sixty-one gave evidence.

However, members of the Scott team believe that Lord Howe is merely the mouthpiece of a much wider whispering campaign. They say that diplomats, the security services and ministers have all briefed journalists and leaked against the report.

Sir Richard has rejected Lord Howe's criticism that he should have allowed the cross-examination of witnesses, saying that the inquiry was never intended to adopt the adversarial methods of the courtroom.

At public hearings lasting 430 hours, the inquiry was told that the Government had connived in the Matrix Churchill transaction by secretly approving the exports, knowing that they would be used by Saddam Hussein to make weapons. Also, in December 1988, William Waldegrave, then Foreign Office Minister, Lord Trevelyan, Defence Procurement Minister and Alan Clark, Trade Minister, had secretly agreed to a "tilt" towards Iraq, changing ex-



John Major, top left, and Nicholas Lyell, right, are both at risk from the Scott report, but Michael Heseltine is thought likely to emerge unscathed



port guidelines that had been announced in the Commons four years earlier.

Before the Matrix Churchill trial four ministers, Kenneth Clarke, then Home Secretary, Malcolm Rifkind, the Defence Secretary, Tristan Garel-Jones, then Minister of State at the Foreign Office and Michael Heseltine, President of the Board of Trade, signed public interest immunity certificates to prevent documents crucial to the defence case being disclosed in court. Mr Heseltine was very reluctant to sign but was persuaded to do so by Sir Nicholas Lyell, the Attorney-General. At the committal stage further orders were signed by Peter Lilley and Kenneth Baker.

Many days of the Scott inquiry's public hearings were given over to ministers past and present insisting they knew nothing of the secret change of policy. Among those who gave evidence were Baroness Thatcher, John Major, Lord

Howe of Aberavon, Alan Clark, Mr Waldegrave, Sir Nicholas Lyell, Mr Lilley, Mr Heseltine and Kenneth Clarke.

Of those still in government, Mr Heseltine is expected to come out best in the report. Not only did he record his reluctance to sign the certificates but he also warned Mr Major not to argue that the 1988 decision amounted to nothing more than a "flexible interpretation" of existing guidelines and not a change in policy.

Most in the firing line is Sir Nicholas Lyell, who persuaded Mr Heseltine to sign the certificates. In evidence highly damaging to Sir Nicholas, Mr Heseltine said that he had only signed reluctantly because the Attorney-General had assured him that the trial judge would be told of his doubts. That information was never passed to the judge.

Equally vulnerable is William Waldegrave, who secretly changed the export policy in 1988. Mr Waldegrave then

insisted that the new guidelines were never officially implemented because they were never formally approved by the Prime Minister, Margaret Thatcher, and they could not be announced without her approval.

Alan Clark told the inquiry: "One is now back to the slightly Alice in Wonderland suggestion, where I remember Mr Waldegrave said 'because something was not announced it could not have happened'."

There will also be much interest in what the report will say about the role of Kenneth Clarke. The Chancellor said on television last year that he would resign if the report showed him to be "at fault" in signing the immunity certificates before the Matrix Churchill trial.

Among senior officials, civil servants in the Foreign Office, the Ministry of Defence and the Department of Trade and Industry are all known to have been heavily criticised in the draft report.

## Thatcher believes her achievements are Labour-proof

By Peter Riddell

BARONESS THATCHER believes that the main achievements of her 11½ years in office would survive even the election of a Labour government.

In the second volume of her memoirs, *The Path to Power*, she claims that after 1979 the people of Britain "enjoyed a self-fulfilment that the rolling-back of socialism and the expansion of freedom made possible". The book is formally published next Monday but is already on sale.

In contrast to her previous claims about destroying socialism, she acknowledges that "eventually, a Labour government may come to power in Britain. If it does, however, it is unlikely to nationalise the industries privatised in the 1980s, nor restore the 98 per cent top tax rates of 1979, nor reverse all the trade union reforms, let alone implement the proposals contained in the Labour election manifesto of 1983."

In a wistful epilogue, she muses on the transience of human achievement. The most, she writes, that she should aspire to as Prime Minister was "to hand on to my successor a better country than the one I had inherited in 1979's winter of discontent. I worked hard to do so and, along with some disappointments, I can claim many successes. By 1990, the British people were freer, more pros-

perous, less torn by civil strife, and enjoying better prospects for world peace than at any time since the First World War."

Looking also at the end of the Cold War and the changes in central Europe, she argues that what Ronald Reagan and she achieved in the 1980s "may well undergo future transformations that neither of us would find congenial. But it will never be transformed into exactly what we fought."

Two thirds of the book discusses her life before she became Prime Minister in May 1979 and the final third consists of reflections on main policy themes, Europe, international security, the family and welfare and the enterprise revolution. She is apprehensive about recent trends in the West, and in Britain. "In most Western countries public spending on social entitlement programmes is leading to swollen deficits and higher taxes. Western defences are being run down and the resolve to use them is dwindling. There is deep confusion about the future of Europe and Britain's place in it."

She defines her own role as influencing the debate but not being a participant in decision-making again. She writes that she is offering thoughts "about putting things right. It is now, however, for others to take the action required."

## Peers' CSA warning

By Alice Thomson, Political Reporter

THE Government was warned yesterday that it faced a legislative nightmare with its Bill to remedy problems with the controversial Child Support Agency.

Peers from all sides of the House of Lords said that suggested changes to the CSA would not go far enough. Lord Simon of Glaisdale, a crossbencher and former Sol-

icitor General, he moved an amendment to the Child Support Bill that said: "Unless we recognise things have gone seriously wrong, they will go seriously wrong again."

The new Bill aims to defuse the chief criticisms of the agency by allowing clean break settlements to be taken into account and relaxing the rigid formula for settlements.

## IN PARLIAMENT

YESTERDAY in the Lords debate on the Child Support Bill, the House of Commons passed the Human Rights (Amendment) Bill and a bill for democracy and human rights in Bahrain.

TODAY in the Commons: MPs listen from the Whitehall recess for questions to

Salmon and the Prime Minister, which will be followed by a debate on the Crown Agents Bill. In the Lords: debate on the Gas Bill, the European Union report on Europe, the Amagh Observatory and Planetarium Order, the Arts Council (Western Ireland) Order, and the Activity Centres (Young Persons) Safety Bill, committee stage.

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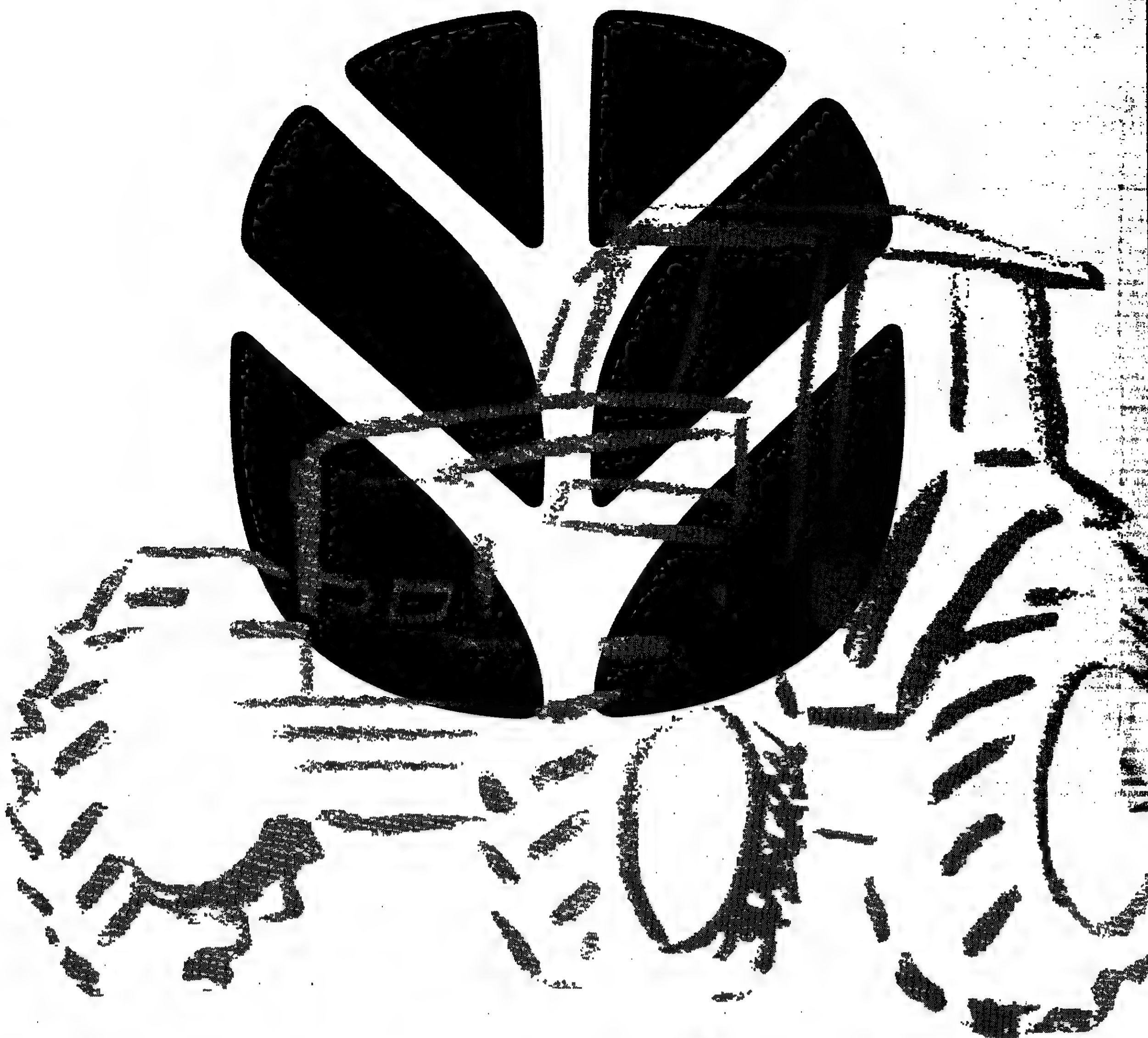
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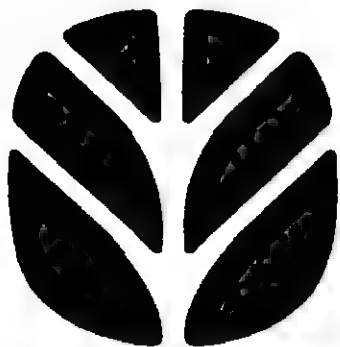
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# Iran assures EU it does not back Rushdie fatwa

By MICHAEL BINYON, DIPLOMATIC EDITOR

TWO weeks before the Group of Seven summit is due to discuss American proposals for a sweeping trade embargo against Iran, a delegation from Tehran is expected to reassure the European Union that it has no intention of enforcing the fatwa against Salman Rushdie.

Britain and other EU members are still awaiting an official response to the EU demand that Tehran should distance itself from Ayatollah Khomeini's death sentence on the British author of *The Satanic Verses*. However, Iranian officials have told visiting journalists that the fatwa was merely a personal expression of the late religious leader's anger over the book. The officials added that Tehran did not intend to support the death threat either politically or economically.

Tehran is expected to send a delegation of senior officials to Paris in the next few days to clarify recent hints that the fatwa may cease to apply in Europe. The French, who hold the EU presidency, recently led a delegation to Tehran to seek assurances that Iran would no longer uphold the fatwa. The Foreign Office said yesterday that it still awaited an official response.

Supporters of Mr Rushdie, who has lived in hiding since *The Satanic Verses* was published six years ago, responded cautiously yesterday. Article XIX, the lobby campaigning against censorship, said it was also waiting for the official Iranian response. It insisted that no European Government should agree to any Iranian assurance that was linked to Europe.

Diplomats and human rights groups all pointed to the

forthcoming summit of the Group of Seven leading industrialised nations as the main reason for the flurry of activity from Tehran. Europe has refused to follow President Clinton's call for a trade embargo, which will start today and was provoked by Iran's determination to develop its nuclear capabilities. Tehran is eager to ensure that Europe maintains its resistance to such a measure.

Washington has accused Iran of continuing to support terrorism around the world and has been angered by Moscow's refusal to cancel a contract for the sale of nuclear technology. Britain, however, has insisted that a trade embargo would be ineffective. Instead, the Government points to the "critical dialogue" the EU agreed to conduct with Tehran at the Edinburgh summit in 1992.

Diplomats also pointed to the economic difficulties now facing Iran, especially the challenge to its hard-pressed currency. "Iran needs all the economic help it can get.

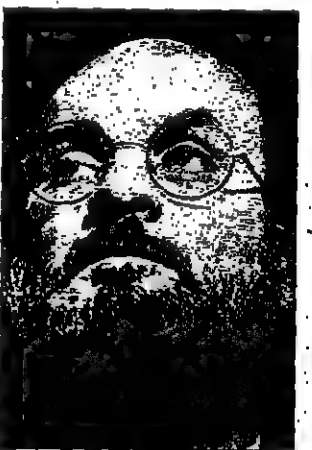
Europe is now in a strong position to press its case," one human rights activist said. Mr Rushdie called on EU members at a recent Council of Europe meeting to use their economic strength to put more pressure on Tehran.

Even if Iran formally announces a lifting of the fatwa, an improvement of relations with the West is likely to be slow. Britain and other EU members still have strong criticisms of Iran's human rights record, its opposition to the Middle East peace process and its nuclear programme.

A spokesman for the National Council of Resistance of Iran announced yesterday that a series of rallies would be held to mark the fourteenth anniversary of Tehran's bloody suppression of anti-government demonstrations. During the G7 meeting in Nova Scotia, Iranian exiles will gather in Germany for an address by Maryam Rajavi, elected by the exiled opposition group as their leader. The council called on all European countries to follow America and to impose a trade embargo, saying that the money earned by Iran from trade with the West was used to suppress political opponents.

□ Tehran: Despite defiant official assurances that the country would easily ride the storm, Iranians were yesterday bracing themselves for the effects of Mr Clinton's trade embargo. Although the country's leaders shrugged off the embargo, many Iranian and foreign experts did not share the official optimism.

They said the embargo's first effect would be to stop American firms buying oil. They buy 600,000 barrels a day, worth \$3.5 billion (£2.25 billion) in 1994. (AFP)



Rushdie has lived in hiding for six years

## Jerusalem bomb plot foiled

FROM BEN LYNFIELD IN JERUSALEM

ISRAELI yesterday claimed a success in its war with Hamas, the Islamic Resistance Movement, as army officials said a car bomb, attack planned for Jerusalem had been foiled and 45 activists had been arrested.

Security forces said they had also thwarted Hamas plans to hijack a civilian bus and to kidnap soldiers. Palestinian sources said a campaign of arrests in and around Jerusalem began two weeks ago but they could not confirm how many had been jailed.

Hamas, which opposes the Israeli-Palestine Liberation Organisation peace blueprint,

has claimed responsibility for a series of bombings against Israeli targets, but has not struck in recent months.

"I'm sure that our forces chasing them has a lot to do with their inability to operate recently," Uri Dromi, a government spokesman, said.

Hamas yesterday accused Israel of burying alive Hamed Yagmour, one of its fighters, during a siege on Friday in the West Bank town of Hebron. "They started firing anti-tank rockets and then moved remote-controlled bulldozers to destroy the house completely, which led to burying Yagmour alive under the rubble," Hamas said in a letter to the Red Cross.

Meanwhile, hundreds of Palestinians demonstrated in the West Bank to mark the twenty-eighth anniversary of the destruction of three villages by Israeli troops during the 1967 war. "What kind of peace is this if it does not allow you to return to your villages?" Saeb Erekat, a Palestinian Authority minister, said.

Uri Nekiss, the Israeli commander in 1967, said yesterday that the villages had overlooked the Tel Aviv-Jerusalem road and were razed after some of the inhabitants shot at Israeli convoys.



A Vietnamese refugee being given a helping hand yesterday as she tried to break out of the Sungai Best camp in Malaysia. Thirteen people were hurt when hundreds of police wielding clubs charged at 600 refugees and teargas was fired in the camp on the outskirts of Kuala Lumpur.

Witnesses said all the Vietnamese had returned to the camp last night. Some refugees had been armed with homemade knives, swords and bows and arrows, which

## Vietnamese hurt trying to flee Malaysian camp

were later confiscated by police. The 600 former boat people were the remainder of about 3,000 who had escaped from the camp earlier yesterday.

Most had agreed to return after the United Nations High Commissioner for Refugees (UNHCR) and an American

Embassy official promised to hold more talks over their fate. The Vietnamese had streamed out of the camp, many with their possessions, after a clash with Malaysian riot troops. The former boat people, most of whom have failed to qualify as refugees, were protesting against de-

portation and some had threatened mass suicide if they were attacked by police.

Datuk Seri Dr Mahathir Mohamed, the Prime Minister, said the Government understood the plight of the Vietnamese, but had to take action to repatriate them. The Malaysian Government has set an August 31 deadline for the camp to be closed, but a UNHCR repatriation programme is at a virtual standstill because of proposed American legislation. (Reuters)

## Criminals in Iraq maimed

HUNDREDS of Iraqis have been maimed or executed since President Saddam Hussein issued decrees a year ago inflicting amputation or the death penalty for common crimes (Michael Binyon writes).

The Washington-based Human Rights Watch, in a statement marking the anniversary, called the punishments "cruel and inhuman" and said the decrees were gross violations of human rights standards.

Punishments included amputating hands, cutting off ears and branding people's foreheads with hot irons. "Iraq implies that these abusive punishments might end if [international] sanctions are lifted," said Christopher George, of the Middle East section of the rights group. He demanded an immediate end to the abuses.

## Bonn cash helps to float Israel-Jordan water deal

FROM CHRISTOPHER WALKER IN BAQURA, JORDAN

WATER, so often the cause of conflict in the Middle East, was transformed into a symbol of peace as the leaders of Israel, Jordan and Germany held their first summit to launch a project to share the region's scarcest commodity.

The meeting, in a tent overlooking the confluence of the Jordan and Yarmuk rivers, reflected growing European involvement in the Middle East peace process. The area was recently returned after years of Israeli occupation.

Under the terms of a £338 million project being studied by the European Union for approval, Germany is due to pay the lion's share of the cost of two new dams to divert the water. "I came here to make clear that we support the vision that is becoming a reality in the Jordan Valley," Helmut Kohl, the German

Chancellor, said, paying his first visit to the region for nearly 12 years. He hinted that the warring parties in the former Yugoslavia should follow the example of co-operation being set by Arabs and Jews. Basking in the harmony between King Hussein of Jordan and Yitzhak Rabin, the Israeli Prime Minister, Herr Kohl said: "I think we should send a very clear and unequivocal message and signal to other parts of the world where... blood is shed."

The hilltop where the tent was pitched overlooked land which was part of a recent experiment in peacemaking, having been returned to Jordan last October, but then leased back to Israeli kibbutz farmers for a minimum of 25 years. "This is a unique expression of peace," Mr Rabin said. Pressure is growing inside Israel for a similar

scheme to overcome the problem of forcing 15,000 Jewish settlers to abandon the Golan Heights if peace is achieved with Syria.

Uri Dromi, the chief Israeli spokesman, said: "Water used to be a way to hit each other in the balls. Now it is becoming a vehicle for promoting peace."

The summit was seen as King Hussein's defiant answer to the growing number of opponents of peace within Jordan. He described Mr Rabin as a good friend and a man of his word. The King has recalled parliament into extraordinary session on Thursday to debate a Bill that would repeal anti-Israeli laws and help to speed up normalisation of ties. His Islamic opponents succeeded in blocking the passage of the law in February by preventing the assembly from achieving a quorum.

## UK trade focus for Argentina

Guido Di Tella, the Argentine Foreign Minister, yesterday began a four-day official visit to Britain expected to focus on the burgeoning trade relationship and the complex negotiations over oil exploration in the waters off the Falklands (Michael Binyon writes).

Trade between the two countries, which has grown rapidly in recent years, is now running at around \$1 billion (£625 million) a year. Señor Di Tella will be meeting industrialists, investors and Eddie George, the Governor of the Bank of England.

Leading article, page 21

## Ships crash

Dubai: One person was slightly hurt when the US aircraft carrier *Abraham Lincoln* and the fast combat support ship *Sacramento* collided in the Gulf while transferring supplies. (AFP)

## 42 murdered

Johannesburg: Forty-two murders and 34 rapes were reported in and around Johannesburg in what police called a normal weekend of crime. There were also 477 burglaries and 282 vehicle thefts. (Reuters)

## Bad form

Cairo: A school examiner was suspended after parents commandeered a classroom, beat up exam supervisors and sat an English test for their children, hoping to get better marks. (AFP)

## 'Cult' deaths

Beirut: Nine Lebanese youths have committed suicide since January in an apparent death cult linked to Kurt Cobain, the American rock singer who committed suicide. An official inquiry has started. (AFP)

## Quake toll

Moscow: The death toll in the earthquake that struck the oil town of Neftegorsk in the Russian Far East on May 28 has risen to 1,236, 187 of them children, rescue workers said. (AFP)

## Prize buy

Boise, Idaho: A university student, 22, won a \$54.5 million Powerball jackpot, the fifth highest pay-off in the game's history. Pam Hlat bought her winning ticket at a grocery shop. (AP)

## Out with the old

Cairo: Egypt's Supreme Council for Antiquities announced five exhibitions of antiquities abroad, including in Britain, less than a year after courts had ruled such exhibitions illegal. (Reuters)

**A LESSON IN ECONOMICS**

THE TIMES/DILLONS FORUM

TO MARK the publication of her second volume of memoirs, *The Path to Power*, *The Times*, in co-operation with Dillons, invites readers to an evening with Lady Thatcher. Following the success of her first *Times/Dillons* forum, when she spoke about *The Downing Street Years*, Lady Thatcher will now turn her attention to the years leading up to her premiership. She will discuss her childhood in Grantham, the profound influence of her father, her marriage to Denis, her early career as a politician and her determined rise to power. She will also give characteristically forthright opinions on some of the century's leading political figures. The forum will be chaired by Peter Stothard, Editor of *The Times*, and will offer those attending the opportunity to question Lady Thatcher.

The forum will be held at Westminster Central Hall, Storey's Gate, London SW1 on Tuesday, June 13 at 7.30pm. Tickets are £10 each (concessions, £7.50) and are available by ringing 0171-915 6613, by faxing the coupon below to 0171-580 7680, or by sending it, with your remittance, to Dillons the Bookstore, 82 Gower Street, London WC1E 6EQ, where tickets can also be purchased.

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## Ciller poll success paves way for Turkey reforms

FROM ANDREW FINKEL  
IN ISTANBUL

A HANDFUL of local government by-election victories gave Tansu Ciller, the Turkish Prime Minister, a rare chance to upstage her critics — an increasingly large number of whom now come from the presidential office or her True Path Party. By winning about 40 per cent of the votes cast, Mrs Ciller may have seen off a challenge to her leadership that is undermining Turkey's efforts to improve its relations with the European Union.

The left-of-centre Republican People's Party, Mrs Ciller's coalition partner, came second with 20 per cent of the vote. Welfare, a pro-Islamic party that opposes customs union with the EU, won only three of the 36 contests being fought. "Since the Prime Minister turned the elections into a mini-referendum on Europe, her victory bodes well for the passage of reform," said Michael Lake, head of the EU's mission to Ankara.

His remarks refer to key pieces of legislation that are stalled in the Turkish parliament, including the removal of "clause eight" of the country's Prevention of Terrorism Law, which makes it an offence to propagate "separatism".

This law is seen by some MEPs, who will have the final say on customs union, as a clamp on freedom of expression in general and Kurdish dissent in particular.

The clause has been defended by opposition politicians and a group within the True Path Party that is still loyal to President Demirel.

## Chechens shoot down helicopter gunship

FROM ANATOL LIEVEN IN MOSCOW

CHECHEN fighters yesterday shot down a Russian helicopter gunship as intense fighting raged in the foothills of the Caucasus mountains.

The Russian Army has made substantial gains in the past few days and claims to have captured the town of Vedeno — 30 miles southeast of Grozny, the capital — which is home to the Chechen headquarters, but rebel commanders vowed yesterday to fight to the end. According to the Interfax news agency, the gunship, an Mi24 with a two-man crew, was shot down while on a strafing mission against Chechen positions



near the village of Nozhai Yurt. Since the war began, Chechen fighters, armed only with automatic rifles and machineguns, have shot down half a dozen helicopters and at least one aircraft.

A Russian officer admitted the loss of the gunship but said Moscow's troops had now pushed five or six miles south of Vedeno. If true, it would mean the Russians are close to the border with Dagestan and would cut the Chechen separatist territory in two.

However, Ruslan Geliyev, a Chechen commander, told Tass news agency that the Russian successes would not lead to a Chechen surrender.

but only to "the reshaping of our tactics". In recent weeks, hundreds of Chechen fighters have left the hills and filtered back down to the Russian-controlled plains, where they may now try to begin guerrilla attacks.

In one Chechen town supposedly occupied by the Russians, I drove around quite openly with a local Chechen separatist commander last week. Russian officers said that dozens of Chechen fighters have re-established themselves in the village of Samashki, the scene of Russian atrocities only a few weeks ago, and that they regularly snipe at Russian posts. Last week, a Russian colonel was shot dead in his car outside the Russian military headquarters in the town of Achkhoy-Martan.

One reason why the Chechen fighters can still operate in the plains is that many villages and their local militias will not betray their fellow Chechens, although most have made deals with the Russians to save themselves from bombardment and raids. Recently, I stood with the militia from the village of Mairtup and watched as Russian helicopters pounded another village, Bachi Yurt, less than two miles away.

The militia was in no danger, because it had made its peace with the Russians, but the fighters were far from happy as they watched the Russians at work. "We all of us previously fought against the Russians," Issa, one of the Mairtup men, told me, "but now we have to defend the interests of our own village."

"We just don't have the means to go on fighting Russia. But we will resist. We will never recognise Russian rule."



A Polish Second World War veteran commemorates comrades at the mass grave of 4,500 officers massacred by Soviet security forces at Katyn forest

## Yeltsin snubs Katyn massacre ceremony

RELATIONS between Russia and Poland, already frayed by Warsaw's ambition to enter Nato, have been further strained by President Yeltsin's decision not to honour the Polish victims of the Katyn forest massacre.

Special trains brought about 700 relatives of the 15,000 Poles killed by Soviet security forces at Katyn and two nearby spots to the mass grave outside Smolensk on Sunday. Mr Yeltsin and Alexander Solzhenitsyn, the writer, had been invited to join President Walesa as he laid a foundation stone for a proper cemetery. However, only medium-ranking Russian officials, led by Yuri Yarov, the Deputy Prime Minister, turned up.

"Boris Yeltsin's absence leaves a deeply unsettling message," the *Zygie Warszawy* daily said yesterday. "There has been no apology of the kind that Germany has long since made. This day could have been a symbol of reconciliation between two nations tragically marked by communism. Instead it is a bitter shame, and

*The failure of the Russian leader to accept an invitation to go to the forest site of the war-time Soviet butchery of Poles has further tested fragile ties between Moscow and Warsaw, Roger Boyes writes*

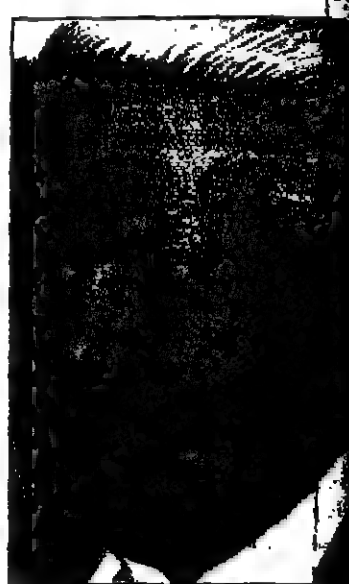
Katyn forest continues to cast its dark shadow."

The NKVD, the forerunner of the KGB, rounded up about 22,000 Polish officers after the Soviet invasion of eastern Poland in September 1939. The bodies of about 4,500 were discovered in April 1943 by German troops as they moved into Russia. Most of the victims had been shot in the neck. A further 10,000 bodies were discovered later at two other sites.

The Soviet Union denied carrying out the killings and blamed the Germans until 1990, when Moscow admitted guilt. Two years later, after Polish pressure, Mr Yeltsin opened KGB archives on the fate of the 22,000

arrested Poles. That half century of denial continues to poison relations between Moscow and Warsaw. The Polish communist authorities, reluctant to offend the Kremlin, pretended that Katyn had not happened or was a German crime. History textbooks made no mention of the massacre.

The stone-laying ceremony was attended by Jozef Oleksy, the Polish Prime Minister and a member of the former communist party — contributing to reconciliation within Poland, if not with its neighbour. Mr Walesa, referring to Russia's admission of guilt, said: "The thorn has been removed but the wound is still there. We must work together to let it heal."



President Yeltsin's absence left a "deeply unsettling message"

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# Senior UN envoy's mission scuppered by defiant Serbs

FROM JOEL BRAND IN SARAJEVO

INCREASINGLY defiant Bosnian Serb army commanders yesterday snubbed a senior United Nations diplomat who had flown from New York to discuss the hostage stand-off and stepped up pressure on a besieged "safe area" in the east of the country, sending about 3,000 Muslim civilians fleeing.

Ten days into the hostage crisis, Serb commanders are continuing to gain key ground in their attempt to undo UN efforts over the past two years while Nato war planes are kept at bay. The Nato-imposed heavy weapons exclusion zones, policed by the UN around Sarajevo and Gorazde in the east, have vanished. Serb troops fire at will from UN weapons collection points they have seized and artillery, mortars and tanks are deployed throughout both zones.

After attacks on the Gorazde "safe area" last week, the Serbs have turned their attention to Srebrenica, another protected enclave. A Dutch unit, which was attacked on Saturday by a tank and 65 Serb troops, is being threatened in its new position a mile further inside the "safe area", the UN said yesterday. Serb provocations around the pocket have sent thousands of residents fleeing from the area in the southern part of

Srebrenica to the overcrowded town. The UN force appears to have abandoned the threat of Nato airstrikes to prevent Serb troops from overrunning part of the tiny "safe area".

A top UN envoy was meant to fly to Sarajevo yesterday, from where he would have driven to Pale, the Bosnian Serb headquarters, for talks on the plight of the 256 peacekeepers still being held by the Bosnian Serbs. Chinmaya Gharekhan, the political adviser to Boutros Boutros Ghali, the UN Secretary-General, had obtained Serb clearance to fly into the city's airport, but yesterday morning, the Serb army command announced that "security guarantees could not be

provided for the flight", a tacit threat to shoot down the envoy's plane.

Sarajevo's airport has been closed for eight weeks, causing the longest suspension of the relief airlift to the Bosnian capital in three years. Aid workers said that supplies to the city were worryingly low. Partly in response to that, but also with an eye on the UN operations that have been thwarted by Serb prohibitions on movement through their territory, Lieutenant-General Rupert Smith, the UN commander in Bosnia, is reported to be planning to use his new Rapid Reaction Force in the coming days.

A new UN peacekeeping task force, which is distinct from the combat forces being assembled by European countries, is expected to secure a government-held road into the city. Parts of the route skirt Serb lines and most of it is frequently targeted by mortar and machinegun fire. It would be the first use of the new UN group and a test of Western resolve to take a tough line with the Serbs.

Yesterday Karolos Papoulias, the Greek Foreign Minister, and Gerasimos Arsenis, the Defence Minister, flew to Belgrade on their way to Pale in a possible effort to secure the release of the remaining UN hostages.



Smith: plans to secure key road with troops



French UN peacekeepers scan the hills surrounding Sarajevo yesterday for signs that Serb heavy weapons are being redeployed

## Milosevic poised to plug leak on the Drina

FROM EVE-ANN PRITCHARD IN BANJA KOVILJICA ON THE BOSNIAN-SERB BORDER

MARJANA DUKIC shrugs when asked where the goods on sale in Pale's market have come from. "They're still wet from the Drina," she says, referring to the flood-swollen river that forms the border between Bosnia and Serbia.

To back her up, petrol stations on the road from Pale, the Bosnian Serb "capital", to Serbia are open for business as usual despite this being

the frontier that President Milosevic of Serbia has declared sealed. He did so when he announced last year that he was ostracising the Bosnian Serb leadership to try to persuade the international community that he was intent on persuading his old protégés in Pale to sign the latest peace plan. What he now wants is a further lifting of sanctions, and the Bosnian Serbs fear that he is about to recognise Bosnia-Herzegovina and that the frontier will then be much more effectively blocked.

At Banja Koviljica, four miles

inside Serbia, Nick Stansfield, a Yorkshireman who is one of the border monitors, says he and his colleagues cannot demand that Serb police and customs officers search suspect vehicles. "It would not be a good idea," he said. "We have a good working relationship with the Serbian authorities, but we couldn't tell them to go and search a vehicle. We are here to monitor and report anything we think should be brought to attention."

The monitors were put in place by the International Conference on the former Yugoslavia last September and

United Nations sanctions against Serbia were eased only last October, after the border had been declared sealed.

Although Mr Stansfield, a former British Army captain who speaks fluent Serbo-Croat, says the monitors do not demand searches, his colleague Mick Ward, spokesman at the monitors' headquarters in Belgrade, said: "Sometimes we turn grannies off the bus from Belgrade to Pale and find they are carrying five-litre cola bottles full of petrol, but it is the big guys we are after."

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## Leaders try to fix role for new force

BY MICHAEL EVANS DEFENCE CORRESPONDENT

THE United Nations commanders in Bosnia-Herzegovina will have a surfeit of highly skilled troops to call on once the new Rapid Reaction Force has been deployed. It is not yet clear, however, whether they will be used as a "last resort" force or regularly to enforce the UN mandate.

The division of labour between the two brigades that make up the reaction force must also be resolved. Military sources said yesterday that both brigades, one commanded by Britain and the other by France, would be given similar roles and they would be available to the UN commanders in Bosnia to use "as they see fit".

Different political pressures might apply, however, when decisions are taken on specific missions for each of the brigades.

The most sensitive areas are likely to be the extent to which the brigades are used for protecting the six UN "safe areas" and for ensuring the supply of food and fuel into the enclaves where the Serbs control all the key access routes.

So far, UN protection of the safe areas has been limited to monitoring lines of confrontation and weapons exclusion zones. Nato airstrikes have also been used, but only on a few occasions to provide additional support for the UN troops in the "safe areas".

Although final plans have yet to be approved, both brigades are expected to be located in the UN Protection Force's southwest sector. The headquarters is at Gornji Vakuf, in central Bosnia. This will mean that an unprecedented amount of combat and transport helicopters, armoured personnel carriers and artillery will be concentrated in one region.

The southwest sector is commanded by a British officer, Brigadier Andrew Pringle. Senior military officers from



The attack on the US pilot shot down last Friday. New reinforcements should forestall such attacks

France, Britain, The Netherlands and America began detailed work yesterday on the composition of the multinational brigade at the French joint operations centre in Paris. A full meeting of the countries contributing to this brigade will meet today in Paris before the final make-up of the force is submitted to the UN headquarters in New York for approval.

Canada is expected to join the multinational brigade, although a spokesman for the Ministry of Defence in Ottawa said that no decision had yet been made. It was reported that Canada had put 2,000 troops on alert for a possible

withdrawal of its 800 peacekeepers in Bosnia. In London, defence chiefs were urgently scouring the shipping market for merchant vessels to transport Britain's 5,500-strong 24 Airborne Brigade to Bosnia. The biggest deployment of British forces since the Gulf War will require many ships and aircraft to move more than 100 Chinook, Puma, Lynx and Gazelle helicopters, support equipment and men.

Defence planners were also looking at the possibility of using giant transport aircraft, such as the American C5 Galaxy and the Russian Antonov AN124, as Britain lacks suitable aircraft for the project.

Commanders of 24 Airborne Brigade were drawing up a detailed training programme to bring the force up to operational readiness before it leaves this month. Lynx helicopters are expected to practise firing their TOW anti-tank missile systems on Salisbury Plain this week.

After yesterday's Paris meeting, details of the decisions were passed to Boutros Boutros Ghali, the UN Secretary-General.

"He raised no objections to what had been discussed in Paris," a source in the UN said.

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# Senate prepares inquest into Bosnia policy fiasco

FROM MARTIN FLETCHER  
IN WASHINGTON

THE Senate begins hearings on Bosnia tomorrow with senators of both parties complaining that US policy has passed from the merely confusing to the shambolic.

In six days, in a stark example of the inconsistency and lack of clear strategy that has characterised so much of his foreign policy, President Clinton has managed almost completely to reverse the clear undertaking he gave last Wednesday to use US ground troops to strengthen the UN peacekeepers and help them to redeploy in safer positions. His critics attribute his volte-face to two basic miscalculations, and to his attempt to play up America's likely military assistance for his European audience while playing it down for home consumption.

The first miscalculation was that the Bosnian Serbs would not react to last month's Nato airstrikes by taking peacekeepers hostage, even though they had done so before. American officials admit being stunned when the Serbs seized about 270 peacekeepers

The White House asked President Milosevic of Serbia to discover the fate of an American pilot shot down by the Bosnian Serbs last Friday. William Perry, the Defence Secretary, said there was no evidence the pilot had ejected and a Nato rescue mission had failed to locate him.

and the Europeans began seeking US help.

A week last Sunday, three days after the first airstrikes, Mr Clinton's top military and foreign policy advisers held an urgent White House meeting that the President did not attend. They decided the US



Clinton: has tarnished foreign policy record

should offer limited military support to the European allies to stiffen their resolve. The alternative — the peacekeepers' pullout — would mean sending in 25,000 US troops to cover their perilous exit, a subsequent bloodbath in Bosnia, and UN and Nato humiliation.

The second miscalculation was the advisers' belief that offering temporarily to deploy ground troops in Bosnia as the peacekeepers "reconfigured" did not amount to a change of policy and would not be perceived as such. "The way we saw it, it didn't amount to much, so we never considered it a big deal," one senior official told *The Washington Post*. Another called it a "simple and uncontroversial extension of the long-standing Clinton pledge" to help a UN Protection Force evacuation.

Last Tuesday, the advisers met Mr Clinton, who had kept

silent since the airstrikes went away, and agreed he should announce the US offer in a speech to the Air Force Academy in Colorado the next day.

Warren Christopher, the Secretary of State, who was travelling in Europe, gave a warning that the announcement could be seen as a key policy shift which threatened to suck the US into a Balkans quagmire, but the story was beginning to leak and Mr Clinton decided to press ahead, promising to "carefully review any request for a temporary use of our ground forces".

The announcement was welcomed in Europe, but swiftly derided by Republicans and Democrats at home. Mr Clinton, facing re-election next year, was appalled. The dangers of even the most limited intervention were dramatically underscored on Friday when the Bosnian Serbs shot down a US warplane.

Privately, Administration officials admit dismay at what John Warner, a senior Republican senator, euphemistically described yesterday as "a good deal of confusion in the signals" from Washington.

## New York subway crash kills driver

FROM REUTERS  
IN NEW YORK

ONE person was killed and scores were injured yesterday when two subway trains collided on a main New York City bridge at the start of the morning rush hour.

A spokesman for the Metropolitan Transit Authority said that one train, which had been travelling from Brooklyn to Manhattan, slammed into the back of another on the busy Williamsburg Bridge between the two city boroughs. He said that it was not known what had caused the accident but an investigation was under way. The fatality was the driver of one of the trains.

A spokesman for the emergency services said most of the injuries were minor, with only eight people sent to hospital. The others were being treated at the scene.

The body of the dead driver had to be cut from the twisted metal and broken glass of the front carriage of the train. The bridge was closed after the accident, causing severe delays for commuters.



Rescue workers take an injured passenger to safety along the Williamsburg Bridge, New York, after two subway trains collided early yesterday

## Hurricane Allison buffets Florida

FROM IAN BRODIE  
IN WASHINGTON

AMERICA'S hurricane season got off to its earliest start ever yesterday. Hurricane Allison swirled in from the Gulf of Mexico and buffeted the north-western coast of Florida with 8-10in of rain that caused widespread flooding and forced the evacuation of several sparsely populated barrier islands.

But Allison was a baby by hurricane standards. It was downgraded to a tropical storm as it moved inland and winds dropped below 75mph, settling at 65mph. "It surprised us a little bit," said Lawton Chiles, the Governor of Florida, who declared a state of emergency in the affected areas.

About 5,000 people were evacuated on Sunday from coastal regions in the flood-prone Big Bend area south of Tallahassee, said Carl Peteway, emergency management co-ordinator in Franklin County. More than 3,000 people spent the night in 30 shelters.

Allison was four days ahead of the earliest recorded hurricane to strike the American mainland. Alma hit the same area of the Florida "panhandle" on June 9, 1966. Allison was also the first June hurricane in Florida since 1972. The hurricane season officially begins on June 1.

The US National Hurricane Centre has just moved into new premises in Coral Gables, Florida. The steel and concrete building has been reinforced for winds of 125mph and for objects weighing 250lbs striking it at 60mph. The new centre replaces one that lost its rooftop radar to the devastating Hurricane Andrew three years ago.

## CIA women 'denied top jobs by old boy club'

BY IAN BRODIE

A GROUP of America's women spies have rebelled against a proposed settlement of their lawsuit alleging sexual discrimination against the CIA by revealing details of their complaints.

The women have alleged that an old-boy network of white men has for years perpetuated a pattern of denying women promotion and belittling their achievements. The disclosures come on the heels of a shake-up at the top of the CIA and the promise of a complete overhaul by John Deutch, President Clinton's new director of intelligence.

According to reports in Washington yesterday, the group alleges that women were accused by male superiors of sleeping with sources, were denied foreign assignments because they were considered unfit to spy in male chauvinist countries, and were bypassed for jobs in favour of senior managers' relatives and friends.

These tales of bitterness and low morale come from the CIA's Directorate of Operations, the heart of its clandestine activities. The women's complaints were supposed to have been kept quiet under a settlement due to have been agreed in court next Friday.

Under the settlement, some 300 CIA women were to share damages of nearly \$1 million (£640,000). In addition, 25 women would be promoted, 15 would have their careers "enhanced" and Thomas Hogan, the judge in the case, would monitor all promotions for the next four years.

However eight of the nine women whose cases were used as examples on behalf of all the claimants say that their lawyers were duped into accepting an inadequate deal. The objections must be considered by Judge Hogan, and if he accepts them, the CIA will face an embarrassing trial.

## Gingrich's sexy tale upsets puritan Dole

BY IAN BRODIE

IT SEEMS hard to imagine, but a "pouting sex-kitten" has come between America's two leading Republicans, Newt Gingrich and Robert Dole.

Mr Dole, the Senate majority leader, would-be President and new defender of family values against mindless sex and violence, has taken exception to steamy passages in a spy novel co-written by Mr Gingrich, the House Speaker. "I don't particularly care for it," said Mr Dole on NBC's *Meet the Press* when asked to comment on a love scene between a female spy and a White House aide in the forthcoming book, *1945*.

Mr Gingrich and his co-author, William Forschen, write: "He was overwhelmed by the sight of her, the shameless pleasure she took in her own body. Suddenly, the pouting sex-kitten gave way to Diana the Huntress. She rolled on to him, sitting athwart his chest, her knees pinning his shoulder. 'Tell me, or I'll make you do terrible things,'" Mr Dole, who last

week attacked Hollywood for promoting promiscuous sex, accused Mr Gingrich of doing much the same.

"It's troubling to me," he said of the sex-kitten passage. Then, in a typical Dole purdow, he added: "Maybe it's not troubling to Newt Gingrich."

There was no comment from Mr Gingrich, but the episode was at the very least an appetiser for the frictions that are likely to develop between the pair if Mr Gingrich does decide to challenge Mr Dole for the Republican presidential nomination.

So far Mr Gingrich is playing a game of tease with a much-publicised visit to the first primary state of New Hampshire this weekend. Mr Dole said he doubted that Mr Gingrich would join the race, but conceded that if he does "he's going to wipe out a lot of candidates". Asked to elaborate, Mr Dole, 71, said of Mr Gingrich, 51, a touch patronisingly: "He's a bright young man".

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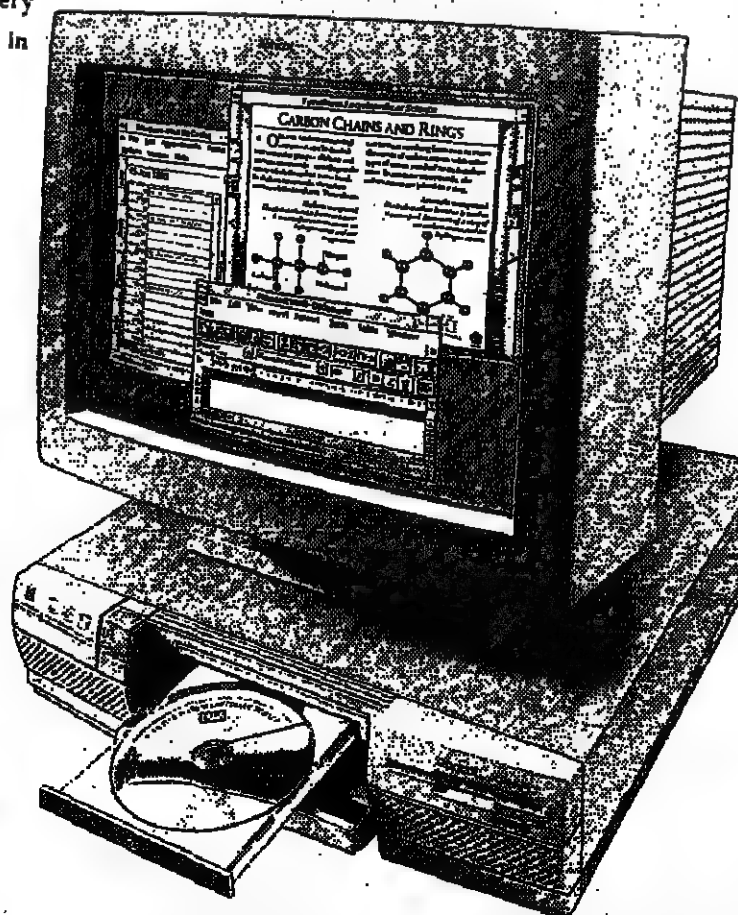
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After a boy of six died of meningitis, his sister was taken to hospital with another type of bacterial meningitis. Dr Thomas Stuttford reports

## When lightning strikes a family twice

Six-year-old Justin Summers died in April, two days after developing meningitis. His infection was caused by the bacteria *Haemophilus influenzae*. Justin was particularly unfortunate. The strain of *H. influenzae* that he developed is not the usual one which causes meningitis and against which HIB injections provide protection, but was regrettably a different strain. In Justin's case, it had initially given rise to a chest infection.

Usually, *H. influenzae* meningitis spreads from the nose and the organism is of the capsulated B type. Justin's *H. influenzae* was of a non-encapsulated, usually less virulent variety. Early diagnosis is extremely difficult when infection has spread from elsewhere; in children, the first warning signs of the meningitis may be masked by those of the initial infection.

It might seem that lightning can strike twice because now his sister Candy, who is two, is unconscious in Addenbrooke's Hospital, Cambridge, suffering from another type of bacterial meningitis, meningococcal. Although her condition is still officially described as critical but stable, she was said yesterday to be showing signs of a steady but very slow improvement. Candy's mother and father, who live at West Newton in Norfolk, on the Queen's Sandringham estate, are at her bedside; their other two young children are being cared for by relatives. Close relatives have all been treated prophylactically with a two-day course of rifampicin. Local public health

doctors are not expecting any epidemic and the family has not been isolated.

The tragedy of the Summers family demonstrates that the term "meningitis" is not a complete diagnosis in itself, but a description of a patient's symptoms. There is no connection between the two types of bacteria which have affected the Summers family and the two illnesses are unrelated.

The causes of meningitis are numerous. As well as meningococcal and *H. influenzae* meningitis, it is associated, comparatively often, with infections such



as pneumococci, *E. coli*, streptococci, listeria and a host of viruses. In the past, tuberculous meningitis was a common cause of death. Fungal meningitis is seen more rarely; various spirochaetes, such as those responsible for Weil's disease, can cause it.

Photographs of Candy on Anglia Television demonstrate clearly the septic nature of her illness. Her skin is liberally speckled with dark red blotches like livid bruises, which have been caused by patchy bleeding into the skin as a result of the toxemia induced by the bacteria. A combination of this

rash with other signs of meningitis — increasing irritability, headache, dislike of light, a raised temperature and changes in the level of consciousness so that the child may be difficult to rouse, and vomiting — make the diagnosis of meningococcal meningitis sudden. Candy had had a bad headache, but it was when Mrs Summers noticed the first patches of rash on Candy's back that her anxiety was roused and an ambulance was called.

Bacterial meningitis — in particular, meningococcal meningitis — can kill within hours, and general practitioners now carry with them penicillin so they can give an injection at the first suspicion

of trouble. To wait for clear-cut indications may be to wait too long. This is not a disease in which it is a sign of good medicine to wait until the child is in hospital and the diagnosis is made. There is certainly no time to wait for laboratory reports.

Justin's case was exceptional because the Government's recent campaign to inoculate children against *H. influenzae* has been very successful. In the first year after HIB vaccination was introduced, the number of cases was reduced by at least 70 per cent. The Meningitis Research Foundation report states that there has since been a further improvement in the situation. At the moment, trials of vaccines against other types of bacterial meningitis are being undertaken, but it will be some time before results can be evaluated.



Professor Michael Baum, studying mammograms (above), believes that people undergoing screening programmes should be given enough information to make an informed choice. Right, mammogram showing a malignant tumour

## Does screening really work?

Michael Baum, one of Britain's most eminent cancer specialists, asks whether mammograms help younger women worried about breast cancer

The American humorist H.L. Mencken once stated that "for every complex problem there is a simple solution, and it's wrong!" I believe cancer is a complex problem; early detection is a simple solution and it may be wrong. Justification of this iconoclastic view may be difficult to comprehend, whereas the shibboleth of "early diagnosis" is a self-evident truth for the lay public.

The central plank in my argument concerns the interpretation of the word "early". Strictly speaking, this word should describe chronological events, yet when we discuss screening for cancer it is used to describe the small size of the tumour detected at a stage before the patient is aware of its presence. The theory of screening depends on the belief that cancers can be detected at this sub-clinical level before they have had a chance to spread by the bloodstream to the vital organs.

However, it is equally plausible that small, sub-clinical

cancers might have been detected "too late" in that they had already spread to establish microscopic secondaries in, say, the liver or bone marrow. It is also possible that these cancers have been detected "too early", either at their in situ (pre-invasive) stage, where they might have remained dormant for many years, or as very slow-growing cancers with little capacity to disseminate, that might still have remained curable when the patient ultimately becomes aware of their presence several years down the line.

We know that these two possibilities are likely because on the one hand at least 50 per cent of all cancers that are self-detected are curable by modern techniques, while on the other hand post-mortem studies of both men and women dying in old age for reasons

unassociated with cancer demonstrate multiple sites of pre-invasive cancer, particularly in the breast and prostate gland.

So how do we know if screening works? The only way to test the theory is to compare mortality from specific cancers in populations who have been offered intensive screening with control populations having no such intervention.

This is a tough test, and such studies are expensive and take a long time to perform. It is, therefore, greatly tempting for the proponents of screening to look for short-term outcome measures, such as early stage at diagnosis and

improvement in survival from the point of treatment. These are necessary but not sufficient conditions for screening to succeed.

The fact that screening detects early stage cancer might seem like a good thing, but the fact that screening is very good at picking up slow-growing cancers that would have a good prognosis in any case, whereas the lethal, aggressive types of disease fail to show up on the X-ray or blood test, or appear between the screening dates — the so-called "interval cancers".

We also expect survival after the detection of cancer by screening to be increased compared with survival after clinical detection, but this may simply reflect "lead-time bias".

Imagine two women developing breast cancer in 1995. The disease is programmed to kill them after ten years in the year 2005. The first woman has a cancer detected at screening and survives ten years. The second patient waits until the lump is self-detected in the year 2000 and survives five years after treatment. Detection at screening has not altered the natural history of the disease, but the first woman survives twice as long from the point of diagnosis as the second.

These principles can best be illustrated by three possible cases: two men in their sixties who attend screening for prostate cancer and two women in their forties who go for breast cancer screening.

Prostate cancer is screened by a blood test, the prostate specific antigen (PSA). One man has a negative result and his mind is put at rest, but as the worry was only placed there in the first place by the proponents of this test, surely he has nothing to thank them for.

A second man tests positive and has a biopsy of his prostate which shows in situ cancer. He has a radical prostatectomy and is deemed cured of his disease, but rendered slightly incontinent

and completely impotent. Should he be thankful? Well, something like 80 per cent of men dying of other unrelated diseases in their eighties will be found to have prostate cancer at post-mortem, so the disease, if undetected, might never have killed him in the first place.

I can accept that there is a possibility for PSA testing to reduce mortality from prostate cancer in the future, but this has never been demonstrated in population-based controlled studies. Until these have been completed, PSA testing has to be considered a false promise.

Let us now take a woman in her early forties who is persuaded by a private insurance company to accept mammographic screening (this is not

available on the NHS because of its unproven value). She has a negative mammogram and is reassured, but bearing in mind that her risk is only one per thousand a year in any case, how much reassurance does this really offer and how much of the original anxiety was generated by the purveyors of the test?

A second woman has a positive mammogram and a biopsy demonstrates cancer. Once again, we don't know the natural history of the disease and post-mortem studies similar to those described above would suggest that only about one in five of such conditions would progress to invasive disease in a woman's lifetime.

Because of this unknown natural history, there is much debate about its treatment. Certainly, mastectomy would produce a complete cure, but this would be considered over-treatment in many cases. So if the disease is localised in one

portion of the breast, she would probably have a wide excision with or without radiotherapy.

She is almost certainly cured, but would it have killed her in the first place? She now carries the cancer label with her for the rest of her life and may be denied life insurance, or at least she may have to pay a heavy penalty on her premium.

In contrast, a woman in her fifties would be offered mammographic screening on the National Health Service programme as its value is proven. In fact, the Health of the Nation Targets, published three years ago, include 25 per cent reduction in mortality from breast cancer for those invited for screening (ie, 50 to 64 years of age).

This 25 per cent reduction in mortality should lead to the saving of about 1,500 lives a year. There is, therefore, no doubt about its value for the population in general, and the programme has also raised standards for the care of

women with breast cancer at all stages.

As far as the individual woman is concerned, the trade-off is quite difficult to calculate. In the age group invited for screening (50-64), the normal incidence would be about two cases per thousand women in a year. Without screening, about half of these might die of their disease over ten years. In other words, about 1 per cent of women around the age of 50 can expect to die of breast cancer in their early sixties. Screening will produce a 25 per cent reduction in this rate, so 0.25 per cent of women accepting screening can expect to benefit. I would encourage women to accept the invitation, but I would object to their coercion.

I believe that for all health interventions there should be questions of treatment, but I wonder how many clients of the screening programmes are being given sufficient information to make an informed choice.

Many of the screening interventions pushed by the private sector are unproven, so effectively the goods on sale are shoddy. Caveat emptor.

Michael Baum is Professor of Surgery at the Royal Marsden Hospital.

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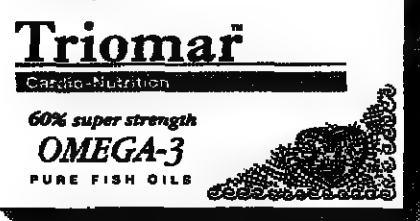
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Part one of the controversial new study of Churchill at war

# The special relationship that saved the world, at a price

Did Churchill, obsessed by 'Anglo-Saxonism', pay far too high a price to his friend Roosevelt to buy American support as Britain fought alone in 1940, asks John Charmley

The Anglo-American special relationship has been such a marked feature of the last 50 years that a generation which has the attention span of a television commercial is apt to regard it with awe, as an ancient phenomenon. Yet in very large measure it was an artefact created by one of the greatest political artists of the century, Winston Churchill. He not only acted as midwife for the Anglo-American alliance, he was conscious of embodying it in his person. As he told Congress in 1942, had his father been American and his mother English, he might have stood among them in his own right.

Churchill's attitudes towards America reflected not only his own parentage, but also the 'Anglo-Saxonism' which was intellectually and socially fashionable in the 1890s — a decade which shaped many of Churchill's ideas.

Churchill's Americanophilia proved more durable than that of many of his contemporaries. The Great War placed Anglo-American relations under tremendous strain. American neutrality and President Woodrow Wilson's moralising proved quite as unpalatable to the British.

Yes, in 1940, as Prime Minister of a country facing catastrophe, Churchill poured all his hopes on America coming in on the side of the Allies. And Roosevelt, a President who embodied many of the Wilsonian ideals, none the less fed Churchill's optimism — up to a point. Whatever his private objectives (and these remain open to doubt) Roosevelt did not possess the power to commit America. An isolationist Congress and indifferent public opinion were against him.

In a dramatic meeting with the French Prime Minister on May 31, Churchill tried to stiffen Paul Reynaud's resolve with the reflection that he was sure that when the Germans started to bomb historic English towns and cities, their American namesakes would be moved, even unto war. He clung in desperation to Roosevelt's speech at Charlottesville on June 10 in which the President spoke of extending aid "full speed ahead" to the Allies. When Roosevelt urged Reynaud to fight on, Churchill, taking the message as a sign of imminent American aid, wanted to publish it at once. By this stage Churchill seems to have expected the President to act even before the election in November. A horrified Roosevelt told his ambassador, Joseph P. Kennedy, to make it plain to the over-enthusiastic Prime Minister that his message was "in no sense intended to commit this Government to the slightest military activities in support of the Allies".

Ambiguity was part of Roosevelt's character. Described by one distinguished jurist as a first-class temperament with

a second-class intellect, Roosevelt was a man who, befuddled, intimidated and charmed contemporaries in much the way that he has posterity. But that did not mean that he had no objectives, he did. What it meant was an almost infinite plasticity about the means by which those goals were achieved. If Machiavelli had never written, then FDR could have provided posterity with much of his message — except, of course, that FDR would never have been so unwise as to have committed himself to paper.

Perhaps Roosevelt made sense from day to day, but the search for consistency is a vain one. In the period from the outbreak of war to Churchill's accession to the premiership in May 1940, Roosevelt's main aim appears to have been to loosen some of the neutrality legislation, allowing America to become the (well-paid) arsenal of democracy. But, as the war shifted against the Franco-British alliance, the President concentrated on trying to keep the French and the British in the war. What he did

not show was any desire for America to become involved in fighting a war itself.

Yet Churchill held to his confident prediction that America's entry into the war was imminent, and he ignored the political reality of an

imperial and economic world power.

Like many British Americanophiles, Churchill tended to forget who had won the American War of Independence. Because of their experience as a British colony, the Americans had carried down the years an abiding dislike of imperialism. Neither in economic nor in foreign policy was the Roosevelt administration likely to be possessed of aims which coincided with those of an imperialist like Churchill.

Like Wilson before him, Roosevelt saw the war being waged against the ultimate autarchic state, Nazi Germany, as an occasion to create the geopolitical basis for a postwar world order in which America would both build and lead. This meant not only defeating Germany, and later Japan, but also "preparing the way for the United States to replace its British ally in the Middle East and the Mediterranean".

None of this is discernible from the portrait of Roosevelt which emerges from Churchill's memoirs. There he is portrayed as almost a god-like figure in his wisdom and benignity. As Churchill tells it, the partnership with Roosevelt was one which "saved the world", a unique relationship forged through correspondence and refined through personal meetings.

Precisely because Roosevelt is such a difficult figure to pin down, Churchill's portrait is a convincing one, but that does



Was the price of US support too high? An American landing craft takes Churchill across the Rhine in 1945

not make it accurate. Missing from it is any sense that Roosevelt's war aims were wider or differed in kind from those of Churchill himself; there is no sign of the President's anti-imperialism, still less of his ambitions for America and a new international order. And the reality of the bases-for-destroyers deal and of the hard bargaining over lend-lease is ignored.

The handing over of 50 old destroyers, for which the British paid in the form of Caribbean bases, was described by the new Foreign Secretary, Anthony Eden, as "a grievous blow at our authority and ultimately... at our sovereignty". The fact that by January 1941 Britain had received two out of the famous 50 destroyers might, he thought, "be reasonably regarded as a bad deal", but he took the position that "it has been made and we are powerless to go back upon it", and hoped that the "goodwill" which had been purchased at so heavy a price would be worth it.

Roosevelt, on the other hand, could quash his critics by pointing out his own cleverness. He described the islands as being "of the utmost importance to our national defence as naval and air operations bases", while the destroyers were "the same type of ship which we have from time to time been striking from the naval list and selling for scrap for, I think, \$4,000 or \$5,000 per destroyer"; on this basis each base cost about \$250,000. The same technique served Roosevelt equally well when it came to providing the British with the financial means for staying in the war. By late

October, Churchill was telling FDR that he was confident of Britain's ability to fight on successfully. "If we are given the necessary supplies", Roosevelt certainly wanted Britain to have the means of staying in the war, but he had neither the desire nor the ability to offer a free gift. Britain's necessity would, once again, be America's opportunity.

The final version of the British request, dispatched on December 7, 1940, laid out the seriousness of Britain's economic plight. Churchill's letter was grave and unwittingly prescient. He told FDR that he believed "you will agree that it would be wrong in principle and mutually disadvantageous in effect if, at the height of this struggle, Great Britain were to be divested of all saleable assets so that after victory was won with our blood... we should stand stripped to the bone". It was all sonorous and moving stuff, but it did not deflect the Americans from their determination to use Britain's predicament to extract concessions.

On December 23 FDR told Admiral Stark that he wanted a warship to "pick up the [British] gold [reserves] in Africa"; not only did Roosevelt intend to dislodge the last part of Britain's once vast overseas assets, but he intended to make the British pay for the insurance on the shipment. Churchill's first inclination was to tell FDR that this was

like the "sheriff collecting the last assets of a helpless debtor"; but he could not be choosers, and calmer reflection produced a more diplomatic dispatch.

Churchill's old friend and current Minister of Supply, Lord Beaverbrook, was indignant. In a furious letter to Churchill he accused the Americans of having "conceded nothing" and having "accepted payment to the uttermost of all they have done for us. They have taken our bases without valuable consideration. They have taken our gold." American supplies, as opposed to promises, were scanty, and a bankrupt Britain was in the "extraordinary" position of having provided monies for supplies which had not yet arrived. It all came back to Churchill saying, "I can put myself in Mr Roosevelt's shoes, and here Mr Roosevelt, this is what we have got. I have turned my pockets inside out. Now, you have got to treat me fair."

All this is absent from the Churchillian portrait. But it is hardly surprising that Churchill sought to portray his relationship with FDR in the way he did: if the reality of the bases-for-destroyers deal and lend-lease had been revealed, and FDR's vaulting ambitions for America described, Churchill would have looked like another of the President's dupes.

Perhaps "dupe" is too strong

a word, for it implies a conscious attempt to deceive, whereas it would be more correct to say that Churchill was a man who deceived himself. When the Americans demanded a complete list of all British overseas investments and then, like a stern banker, demanded it sell some of them at once, the Chancellor, Sir Kingsley Wood, wrote to Churchill sadly that this was "different from what we'd hoped".

The question of where these forced sales would leave the British in the future was easily, if sombrely, answered. In 1937 the British had earned about £270 million from their foreign investments: without this money Britain would either have to mount an "unheard-of export drive" in the postwar period or suffer privation on a massive scale.

What Churchill failed to understand was that American policy was decided by considerations of American national interests. Once he had decided those interests were best served by continuing to support Churchill and the British, Roosevelt was prepared to do whatever was practical to help. America would fight to the last Briton — or the last cache of British gold.

Churchill's Grand Alliance — The Anglo-American Special Relationship 1940-57 is published on June 15 by Hodder & Stoughton, price £20.

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TOMORROW  
How Churchill failed at Yalta

## Beware the seriously sober hack

A 'professional' *Private Eye* wouldn't be worth reading, let alone suing

In journalism, all too easily irksome little upsets are dramatically promoted to tragedies. I've often thought this has something to do with the essentially male nature of Fleet Street as was, and as we still call it. You know how men customarily upgrade a cold to the flu and the flu to full-blown pneumonia? Well, the way in which journalists report on the health of their industry is characterised by the same throat-clutching hypochondria: it's always the death of civilisation as we know it.

For once I have some sympathy for that view. I refer to the reported plans of Peter Cook's widow, Lin Chong, to knock *Private Eye* into shape. I agree that there are a good many people who view the existence and flourishing of the magazine itself as proof of the very death of civilisation as it is. Few, I'll admit, are going to shed any tears over the fate of the staff of *Private Eye*; most will be, like Nigel Dempster, relishing their possible, impending misfortunes.

Rumours are, you see, that the widow of Lord Gnome does not take his laid-back view of matter, and that the sight of various *Private Eye* hacks stumbling late into work and sipping vodka at their desks did not appeal. It might not have helped exactly, as the editor, Ian Hislop, admitted, that on her tour of the offices, Ms Chong happened upon one of the paper's contributors, Christopher Silvester, prancing up and down behind his desk, perfecting his rendition of *Luck Be a Lady Tonight*. It would be enough to startle anyone.

But surely, too, it would be enough to charm anyone. Whatever one thinks of Mr Silvester's singing (and as my grandmother used to say, he came by it honestly, his grandfather having been the band-leader Victor Silvester) or his eccentric demeanour, I like the idea of the *Private Eye* offices being staffed by people crooning over their desks, spilling gin and considering three afternoons' work a week a fulltime job.

Nigel Dempster, the distinguished gossip columnist, who has had a celebrated falling out with the magazine, feels that the paper could do with an "injection of professionalism". But that's just what it doesn't need. Professionalism is the great blight of the age

what we need are more dilettanti.

"Professionalism" is used synonymously with integrity when what it really indicates are the jobworthy virtues, valuable to be sure, but not desirable in everyone. Journalists who more properly should refer to their trade rather than their profession are required to be idiosyncratic and highly strung, not reliable mineral-water sipping clerks.

Everyone now likes to talk about how inefficient were the old journalistic practices — the long lunches, the hard drinking, the short hours — but the papers came out, the writing was good, the stories were found. In many ways, the more respectable behaviour of individual journalists now co-exists with a less respectable press. The two are not the same thing. A dry newspaper office is a dangerous thing.

But even rock stars attempt to go legit, and not just when they're past it. I heard some 20-year-old on the radio talking about some gig that had got out of hand, and apologetically admitting that his band's behaviour had been unprofessional. If only I could remember his name I'd make a note never to buy one of his records.

Something has gone drastically wrong when pop stars wear suits and tell everyone not to take drugs. Don't they realise that the whole point of them is to take drugs, be promiscuous and lead dangerous racy lives — just so we don't have to.

But the spirit of the age does not embrace the dilettante: we are all insurance clerks now. It's all so dreary; as much as I loathe a drunk, give me an alcoholic rather than a workaholic any day.

### Party games

THE decline of contemporary life, part two: or thoughts on my reported imminent accession to Parliament. It's not that the stories aren't true but they could not be. For on one day I was telephoned by one paper and told that I was on the list of approved candidates for the Conservative Party; the next, I read in another that I was on the Labour shortlist.

Mutually exclusive you'd have thought. And inaccurate, as I say, but all the same the confusion does say something about the state of politics.



NIGELLA LAWSON

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## Alas for Europe: from Messina to plain mess

Timothy Garton Ash on what

Britain should do in the EU but won't

The trouble with our current debate about Europe is that it is the wrong shape. BBC2's big Eurovision television debate on Sunday evening was a classic example. Transferring the seating-plan of the Commons to the map of Europe, it pitted "antis" on the right, against "pros" on the left, with David Dimbleby as Betty Boothroyd in the middle.

In fact, it should be more like the auditorium of a theatre, perhaps even of the Albert Hall. In the boxes on the right there are "Euro-sceptics" who cry that Britain should go no further into anything more than a Common Market, and would try to bring powers back from Brussels to Westminster. UK rules OK. In the boxes on the left there are "Euro-enthusiasts" whose project is nothing less than the "modernisation" of Ukrania (to use Neal Ascherson's vivid term) by its Europeanisation. Journey's end: a Federal Republic of Britain. But most people are actually somewhere in between. In the stalls or circle. They are sceptically pro in some respects, moderately anti in others. They think it suicidal for Britain to try to get out, but want a different Europe for Britain to be in.

Sharp-eyed readers will immediately notice that this alternative seating-plan suggests we are not the actors but the audience. Well, psychologically that's about right. Our common assumption is that "Europe" is something being played out in front of us, over there. We send the odd minister to strut and fret his hour upon the stage, as last weekend at the opening of the pre-IGC "group of reflection" in Messina and Taormina. But, despite what every politician tells us, we basically think it's someone else's play.

Yet what we really need to do is not merely to take a leading part in this play but to change the script as well. We need to do this not just in Britain's interest but in that of Europe as a whole. This is why the position of those of us who are in favour of active British participation in some larger European construction, building on what has been achieved since the Messina conference 40 years ago, is so complicated today. Forty years ago, 20 years ago, at the time of our referendum, even ten years ago, in the run-up to the Single European Act, we could say: France, Germany and the others are doing important, intelligent, largely well-conceived things. There are many, many flaws, but basically they are going in the right direction. So for heaven's sake get aboard. Mr Macmillan, Mr Wilson, Mr Callaghan, Mrs Thatcher.

Today we can no longer say that. For on a sober analysis they are not going in the right direction. In fact, to race straight ahead on the Maastricht plan, with this IGC merely a pit-stop on the road to EMU in 1999, will most likely cause the Euro-car to crash, take the Euro-train off the tracks, put the Euro-tanker on the rocks: mix your own metaphor. So what we need to do now is not just to get fully

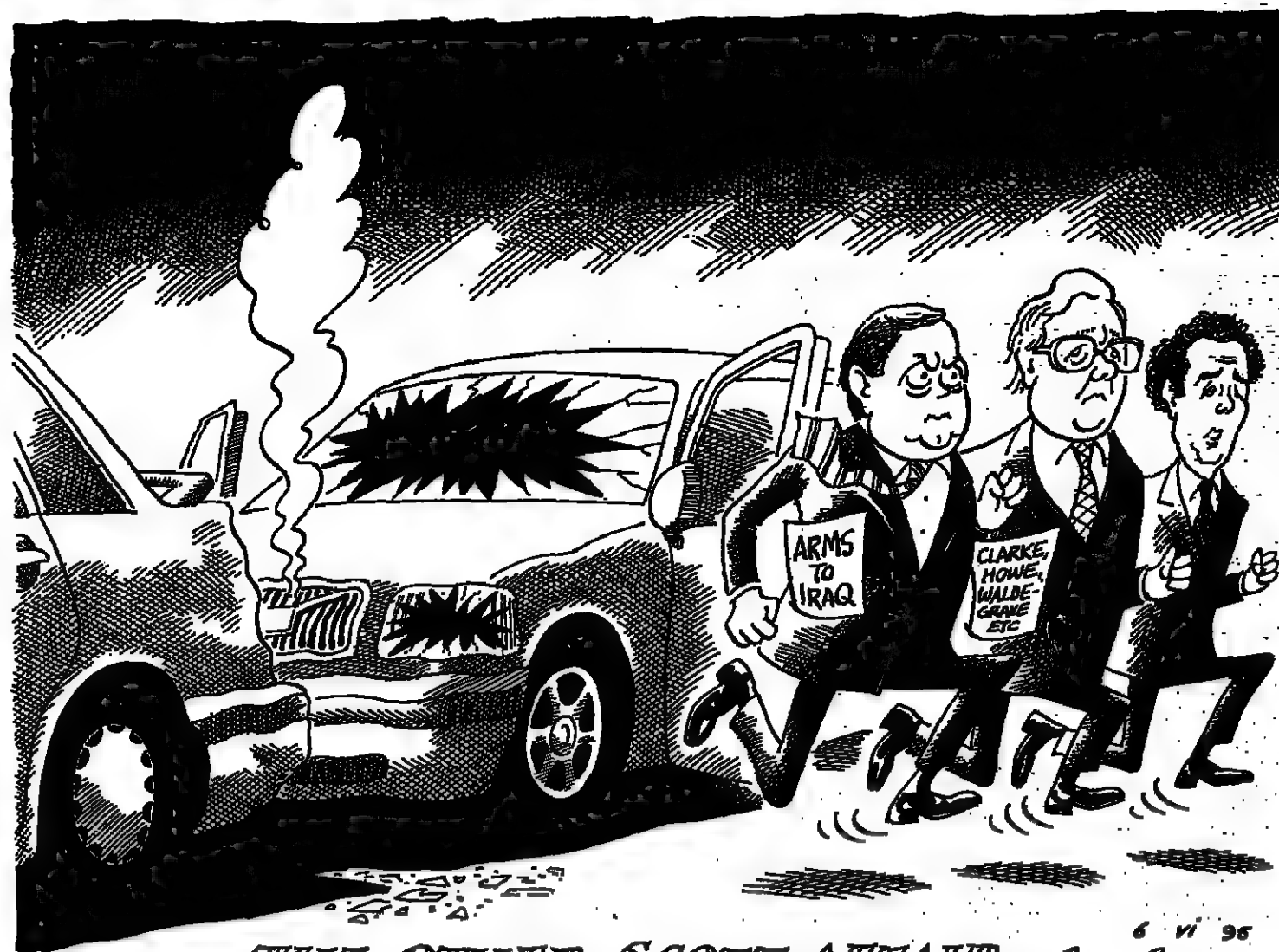
**Maastricht is likely to cause the Euro-car to crash**

aboard the car/train/tanker but to turn it in a different direction — at which point it becomes crucially important whether it is in fact a car, which can be turned, or a train, which cannot.

What our representative should ideally have done last weekend was not to play it all down ("6,000 mile service"), but to take up the challenge of the location and say: Yes, Europe does indeed need a second Messina, a second founding. The Messina model was right for American-protected Western Europe in the Cold War. However, now that we live in a Europe transformed by the end of the Cold War we should look again at everything the EU does. By all means let's review the implementation of the Maastricht treaty. But really we need to equip the European Union to be the main framework of a new European order. Maybe it was the nuclear stand-off of the Cold War rather than the EC that kept the peace in (most of) Europe for (most of) the past 50 years. Witness Bosnia: a hot war following the end of the cold one. But now it's up to us. The US will no longer pull our iron out of the fire. Witness Bosnia again. We need to streamline the EU to permit rapid enlargement to include the new democracies of Central and Eastern Europe, so they don't become new Bosnias. And we urgently need better co-ordination of our foreign and defence policies so that we make a better fist of the next Bosnia — whether it's called Kosovo or Algeria or wherever. These are the top priorities. Let's approach these political goals directly, by political means. Meanwhile, we have to cut the Community's red tape inside and reduce its protectionism outside, reform the CAP, renegotiate the budget and make sure the EU does only and does better those things which really will increase our prosperity and competitiveness without further increasing unemployment and inequality.

This prescription is at once realistic and totally unrealistic. It is realistic in the sense that this would in fact be the best long-term interest of both Britain and a wider Europe, as many people in many other European countries would privately acknowledge. It is totally unrealistic because the state of British politics and our so-called European debate will not permit the present Government to sustain any such imaginative strategy, and even if by some miracle they did, the rest of Europe would not take it from us anyway, given our record over the 40 years since Messina. Indeed, our major European partners are now trying to adjust the timetable so the IGC will not finish until the Major Government has gone. But by the time we get another government it will be too late.

So we will fail to change the course of the EU and then the EU's current Maastricht-EMU course will itself end in tears, closing the century with a whimper. From Barmes to plain ING; from Messina to plain mess. Alas for Europe.



THE OTHER SCOTT AFFAIR Paul Brooke

## The art of durability

Don't tell me that Warhol is a genius, or rather, if you say he is, put your money where your mouth is

Just get a load of this, as we used to say, and then kindly don't tell me that *chutpah* (usually translated as "cheek") is dead. The item comes from New York. (Well, from where else could it have come?)

In a long-awaited decision, a judge has ruled that Edward Hayes must be paid \$7.2 million for his work as lawyer for the estate of Andy Warhol. She also awarded the lawyer, who has carried on an extended legal dispute with the Andy Warhol Foundation for the Visual Arts (there's a title to warm Rubens's heart), the estate's main beneficiary, an additional \$250,000 to cover Hayes's legal expenses.

Before I continue, I must say that if a cheque for \$7.2 million (£4.5 million) flutters through my letterbox in payment of a legal dispute, I think I would waive the extra \$250,000, or at least give it to the stray-cats orphanage. But American lawyers are made of sterner stuff. (So are British lawyers, actually, but don't tell anyone.)

The Andy Warhol Foundation for the Visual Arts, of course, going to appeal, but while that was starting, Hayes upped the ante, and decided that he wanted, instead of a measly \$7.2 million, a fully-fledged \$10 million greenback (fill in the usual bit about my mother not apprenticing me to a lawyer).

Hayes, I may say, engaged a sidekick, Francis Harvey by name, presumably to count the millions; he has been promised a quarter of the takings under an agreement with Hayes. (Ahem, I point no finger, but I do suggest to Harvey that he should get it in cash, and quickly.) And yes, you guessed — of course you guessed, you know me well enough to know that the really sickening bit always comes at the end, and so it did in this case. Hayes said, as the pantechnicon that was to take away the millions revved up (all together now): "The court has vindicated me before my family and friends."

And before seven and a half million ounces, too. It all began the moment Warhol kicked the bucket; that was in 1987 — he was born in 1928. (So was I. Humm.) The wrangling took place because nobody could establish the value of the huge number of items he left to posterity: it is said that the total comes to 700 paintings, 9,000 drawings, 19,000 prints and 66,000 photographs. (I don't believe it, but let that pass.)

Now if the High Contracting

Parties think that all they have to do is to put a price on each of the 94,700 items and go home, they are greatly mistaken. The truth, which will probably turn their hair grey, is that the fun is just beginning: if the dispute over the size of the legal fees took eight years to sort out (and it is still in progress), what do you suppose is going to happen when the real stuff comes on to the playing field?

"I'll tell you. First, Hayes said that the estate was 'worth more than \$600 million', whereas Christie's — brought in to make everybody happy — said it was worth \$95 million, and the judge came up with \$390 million, or, if you throw in the real estate and securities, \$510 million. (My own suggestion for some reason ignored: it was to add up all the sums tendered and divide by the number of claimants.)

"Dead men tell no tales." I rather think that Andy Warhol would dispute that claim. Mind you, wherever he is, he would surely be proud to think that eight years have passed and the battle over his legacy still rages. He will be very considerably less pleased when he discovers that the battle has nothing to do with his art, but is concerned only with the fees which are being demanded by the lawyers.

Oh, Rembrandt, Rembrandt, you who had the devil of a job to get paid for *The Night Watch* at all, and even when those skintits did cough up one of them complained that half his face was in shadow, Rembrandt who didn't get paid at all (and didn't expect to) for *The Anatomy Lesson of Dr Tulp*, Rembrandt who fell out of fashion and could get no offers of work, Rembrandt who therefore painted instead his friends and that series of self-portraits which nothing in all art can touch and nothing ever again will, Rembrandt who finally went bankrupt but left such jewels of glory that the very pavements he

walked on should bow down to do him homage, Rembrandt who in heaven has just pressed his last few pennies into the hand of Warhol under the impression that Warhol must be starving.

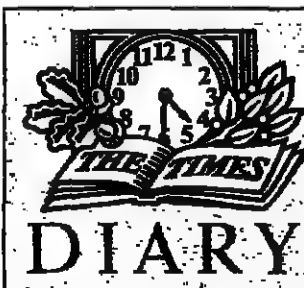
I suppose I will be told that I am cheating: there is only one Rembrandt, and I mustn't match Warhol to him. As a matter of fact, I don't; going through some of his work I found myself warming to him: if he was a charlatan he was a very merry one, and if he wasn't, he was at least very entertaining.

Well, I don't know how they order these things in heaven, so I shall confine myself to terra firma. I am not one of those who walk into the modern rooms of the Tate and instantly splutter, though as a matter of fact there is a great deal of bludge there. I don't at all mind the bludge, indeed, I think it should be there, because all views are useful; my trouble is not that there is bludge, it is that I have a gloomy belief that the people in charge of the place don't know that it is bludge. But I must come back to Warhol. True, a little Warhol goes a long way, but that little is highly entertaining. More, perhaps, than any other artist, he uses repetition to make his point, and he makes it good and proper, and even merry. Let us say that Warhol brightens things up, and leave it there.

The trouble is that it cannot be left there. The last substantial Warhol to change hands (in New York, of course) was one of the repetition kind: what I would call a blob repeated itself over a very large surface in identical rows. So? So it went for \$7 million. So some idiot with \$7 million to spend bought it. So? Only a few days ago, I was screaming about the paucity of good, new music, and now the blight has also settled on the easel.

Looking round, I see Kitaj as a

**Bernard Levin**



danger to anyone." Tom Conti is one Hampstead resident who wouldn't dream of taking a dip: "The idea completely appalls me. It's extraordinary, like politicians swimming in the sea at Brighton."

### Hot seat

HONG KONG'S Governor Chris Patten will be watching with interest the political future of Sir Nicholas Scott, who is being pushed to step down at the next election as MP for Chelsea after his alleged involvement in a car accident.

Chelsea has always been regarded as one of the Conservative Party's safest seats. So when Patten lost Bath at the election in April 1992, Sir Nicholas was rumoured to have offered to resign and let him contest Chelsea at a by-election. "Chris still hasn't decided

whether he wants to return to politics," says one Westminster hand. "But Chelsea, which is to merge with Kensington, would have been an ideal seat for him to fight at a by-election. Now he might not get the chance."

### Don't believe it

WHEN IT comes to complaining Richard Wilson cannot match the ability of his screen persona, the grumbling Victor Meldrew. Indeed in restaurants he now keeps quiet because everyone is just waiting for him to behave like the fictional character.

"I once tried to complain, when I first came to London and was very Scottish and very naive in a very cheap restaurant. I plucked up the courage but the waitress wasn't interested," he recounted at the *Time Out* Eating and Drinking awards in the capital yesterday.

"But these days I don't dare complain because everybody is expecting me to be Victor Meldrew."

### Keeping mum

LORD and Lady Ivar Mountbatten had good reason to celebrate at the Alfred Dunhill Queen's Cup on Sunday at the Guards Polo Club in Windsor Great Park. Penny

living artist whose work will certainly endure, but as I look round further I cannot see another. And I believe that the reason is that there isn't one. (And, incidentally, when Kitaj had a substantial show in London and New York, the London critics sniffed and the New York ones tore it to pieces.)

You have heard of Gresham's Law, I take it? If not, it runs: "Bad money drives out good." Never mind the real, monetary side of it: it is used these days as a metaphor, and I am about to use it thus. When the lawyers — not even the art galleries — get \$7 million for their work, there is something awry. But I am not attacking the lawyers now; I am trying to work out how so many millions came into the story, and left the art behind.

And the answer can only be: they left the art behind because it deserved to be left behind. The American judge who presided over the whole Warhol money-business no doubt got the law right, and the gigantic sums involved can be put on one side for a moment. But she said something else, as she gave her decision: it was not quite *obiter dicta*, but the next best thing: that perspicacious judge said: "Mr Warhol's place in the art world is as secure as any artist's of his time could be."

Right. It is now 1995. Fifty years is a reasonable time to see whether Judge Preminger's sly prediction has come true. I therefore bet any sum from any bettor that in the year 2045 Warhol will be a name utterly unknown. Come on, you Tate Gallery people, don't tell me that Warhol is a genius — or rather, if you say he is, put your money where your mouth is. I am perfectly serious, and I am willing to take bets running into millions of pounds (by the time I'm finished the Lottery will be as a child's toy). Put it in your diary now; I have done so, and the year 2045 is ringed in red.

We live in a world that art would not recognise. I don't know how it happened, and I have no means of changing it. Nor do I need to change it, at least until art galleries are abolished. But before that happens, I can look at those Rembrandt self-portraits again and again. And fortified by that draught of genius, I can even face bankruptcy if the rash bet I made — that 50 years hence Warhol will be a name unknown — goes wrong.

But something tells me that nothing will.

## A rich seam of arrogance

Magnus Linklater

on the quarry that split the council

It is not often that a planning decision involves altering the natural contours of the landscape for all eternity, or literally moving a mountain: and not many such decisions are held to affect "the majesty and grandeur of God Himself". But for the last eight months a public inquiry into the proposed £50 million superquarry on the island of Harris has been listening to evidence on a proposal which is on just this scale: to dig a hole which would be the largest in Europe on the island which is among the most beautiful and unspoilt in the Hebrides. This week it winds up, and a conclusion will go to the Secretary of State for Scotland.

In view of the immensity of the project and the strength of feeling it has aroused, it is depressing to record that the inquiry will end amid charges of incompetence, bureaucracy and council intransigence of a type more usually associated with Labour-dominated authorities such as Hackney or Islington. In both cases public concern has foundered on the rock of council arrogance — Islington stubbornly resisting an inquiry into social services, Hackney rejecting challenges to political correctness. The response of the Western Isles Council to its electors has been almost as high-handed. Why is it that local politics is often so autocratic?

As late as last night, on the very eve of the inquiry's conclusion, there was a remarkable U-turn by the Western Isles Council, which was forced to hold a special meeting to vote on whether it would withdraw its hitherto inflexible support for the quarry. It had discovered, rather late in the day, that the majority of islanders were against the project, and had decided that it should alter its submission as a result. At the last minute it asked the inquiry reporter (Scotland's equivalent to an inspector) to delay proceedings so that its change of heart could be recorded. But its request was rejected on the grounds that it was inadequately addressed, fixed rather than hand-delivered, and had misspelt the reporter's name.

All this might simply have been put down as an episode from the life of Sir Compton Mackenzie's more entertaining Highland farces, except that it marks the culmination of a long saga of council intransigence, a refusal to countenance opposition, and an apparent willingness to withhold or suppress evidence to which challenge its position. From the outset, it was determined that the promise of jobs offered by a large-scale quarry operation would be the deciding factor, and that environmental considerations or the impact on local industries would come second.

A whole series of manoeuvres was adopted to head off opposition. To those familiar with inner-city politics they would be instantly recognisable, but they shocked and finally angered some of the more recently elected councillors. A privately commissioned report on the environmental impact of the quarry was withheld from publication for a year, then released with critical sections on the environment missing. Attempts to have open debates on the issue were circumvented by procedural rules. Opponents within the council found themselves facing implacable hostility from the old guard.

Defenders of the council might argue that democracy has taken its course: evidence has been brought out in the course of the inquiry which has changed the views of the islanders — and that, after all, is what inquiries are meant to do. A poll of opinion at the outset of the affair showed a narrow majority in favour of the quarry. Now, however, opinion has swung round against it with 68 per cent believing that the plan should not go ahead. They have been influenced by evidence that the massive quarrying operation would harm tourism, local industries like tweed, and above all, fishing. Evidence that the ballast water used by incoming ships might pollute the pure coastal waters of Harris was particularly influential.

On this evidence, the council has simply bent to public opinion, and accepted the view of the majority. But it has done so late, with ill-grace, and with obvious reluctance, after a sustained campaign which at times suggested that it was rather more closely wedded to the commercial views of Redland, the multinational quarrying company, than to the sensitivities of its own electorate. It consistently accepted the company's estimate of the local jobs that would be provided, claiming that there would be more than 100 in Harris alone, when in fact the real figure was only 33. Perhaps worst of all is the council's submission to the inquiry, drawn up by its own QC. It speaks of "the gloomy and despairing attitude of many of the Harris natives", their "depressed and doom-laden" response to new initiatives, and their suspicions of outsiders. It has a disturbingly colonial ring to it, yet this is the view that will go before the Secretary of State.

In the end, one hopes that means are found to convey the revised view of the council. But no one would single out the Harris quarry affair as a shining advertisement for grass-roots democracy in action.

## Missed cue

SIR DAVID Putnam stepped into the breach yesterday at Robert Bolt's memorial service in Piccadilly. He stood in for Lord Quinton, who failed to make it to the church to give the first address.

"We sang the first hymn twice to give Tony Quinton extra time to show up," says one of the congregation. "But he never arrived and the order of the service had to be shuffled around."

Putnam, who was meant to speak last, was hustled to the front. He was already somewhat rushed, having arrived hotfoot from the Carl Foreman Awards for script-writing held at the Baffa headquarters next door.

Bolt's widow, the actress Sarah Miles, appeared extremely concerned about Lord Quinton and, after reading her own poem, said in heartfelt tones to the assembled crowd: "I do hope nothing has happened to Tony."

She can rest assured, Lord Quinton is in fine health — he simply got the day wrong. "It's awful," said his wife. "I am afraid it was a mistake with the date. We had the memorial service down for tomorrow. We feel terrible because Tony and Robert really were the

closest friends. They first time they met they were both naked, agreeing for injections when they were in the Air Force. Tony would have done anything to get there. He would have gone on crutches."

● Cameron Mackintosh, the West End impresario, took part in the annual fishing boat race in Mal-



You should have thought of negative equity when you bought it

Handwritten signature or text at the bottom of the page.





## LOST IN THE LONG GRASS

The Scott inquiry must be speeded up

Sir Richard Scott's inquiry into the arms-for-Iraq affair has now been running for 30 months. Eleven months of public hearings were followed by supplementary hearings, and those hearings by around 80 further private interviews. That phase ended last November, but drafting of the report is not yet complete. When it is, copies of relevant sections will be sent to those named; and important witnesses among those named in the part already written have missed the May 19 deadline to reply, asked for more time and been granted it.

Publication, originally expected last summer, is now delayed at least until the autumn and more probably until the end of this year. The impression grows that this inquiry is being smothered in the long Whitehall grass which it was Sir Richard's task to strip away.

Of course the judge must be meticulous in sifting and weighing the mountain of paper. Of course he must try to ensure that there are no vital gaps in the available evidence. Of course he is right to give individuals whose reputations may be on the line reasonable opportunity to respond to his draft conclusions, where they believe criticism of their conduct to be unfounded. He is right to insist that he will not cut corners. But justice will not be served if he scours corners so thoroughly that the room will never be made ready for public inspection.

Announcing the further slippage of the timetable yesterday, the Scott team was at pains to say that the judge "will not be driven off course". But why should Sir Richard extend deadlines for comment on the ground that people "cannot always drop everything" in order to meet them? Some of those closely implicated would doubtless

prefer the report to vanish into the mists of time future; lack of time could be an excuse for almost limitless procrastination. When the inquiry was set up in November 1992, Sir Richard said that he would rely mainly on the written record, using oral testimony to clarify and confirm. He should now proceed to set credible deadlines for himself as for his witnesses, and insist this time that comments which arrive too late for incorporation into his final version cannot be taken into account.

A halt to the Whitehall paper chase must also soon be called. Yesterday's comment that "in the nature of the Whitehall paper generating machine, things get lost in cupboards" is hardly sufficient explanation for the inquiry's failure to extract documents requested months and even years ago. If any of this delay is deliberate, as the judge is said privately to believe, he should name the departments which have failed to deliver. He should also consider carefully whether these missing papers are genuinely vital links. His team concedes that the latest batches received have opened up no new areas of inquiry.

Above all, Sir Richard should not allow himself to appear intimidated by suggestions that applications for judicial review will flood in after the report's publication. If there is indeed a whispering campaign in Whitehall to discredit Scott's methods, as Labour alleges, that only makes early publication of the report the more important. It is an insult to Sir Richard's manifest integrity to suggest, as some Tories hint, that the agony is being deliberately drawn out. But it is high time for him to be seen to be making the running. He should make a determined sprint to the finishing line.

## THIRTEEN YEARS ON

Argentines should be allowed to mourn their Falklands dead

The visit to London of Guido Di Tella, the Argentine Foreign Minister, so soon after President Menem's triumphant re-election, is a good sign. It underlines Buenos Aires' clear interest in re-establishing warmer relations with Britain: it will boost trade, now growing by 20 per cent a year; and, most importantly, it will improve the framework within which the question of the future of the Falklands must one day be resolved.

London and Buenos Aires now enjoy a relationship that is warmer than it has been for years. As the turn of the century Argentina was one of the leading powers outside Europe, with economic vistas as broad and open as the pampas. The sadness of the past 50 years has been the country's inability to fulfil its early promise and the consequent rise of populism and gesture politics. The low point came with the invasion of the Falklands in 1982. Since then, the return to political moderation and economic stability has been one of the heartening stories of Latin America. Argentina has looked its horrific past record on human rights squarely in the face; and it has atoned for military excesses with enthusiastic participation in international peacekeeping.

All this argues for a closer dialogue with Britain and the powerful support that investors are now giving Domingo Cavallo, the iron-willed Economics Minister. Both Britain and Argentina have interests in co-operating more closely in the South Atlantic: the waters around the Falklands are rich in fish and abundant oil reserves may lie beneath the sea. Working out satisfactory regimes for both resources is complex,

because there are questions of sovereignty and territorial limits that raise old hackles. Señor Di Tella's second visit within a year may encourage new investment. But there still hangs the shadow of the Falklands War.

The Argentine Government has an interest in putting the sorry episode behind it. It has therefore made a number of gestures to turn a more friendly face to the islands. It has offered to pay for the clearing of the remaining mines; it has urged fellow Latin American countries to improve trade and transport links; it has proposed an exchange of doctors and teachers. Yet it has not renounced its claim of sovereignty. The Falklanders are therefore rightly suspicious of anything that smacks of a backhand way to persuade them to leave or assimilate: the offer of a direct cash settlement to the islanders or the proposal for a Hong Kong-style "one nation, two systems" formula.

For the moment, therefore, there is stalemate. Buenos Aires understands the islanders' strong feelings, shared also in London. What it finds harder is the refusal to allow visits to the graves of the 232 Argentine soldiers killed in the war. Since 1982 there has been only one brief visit of 450 people in 1991. Douglas Hurd is likely to announce on Thursday a second visit to identify the remains found in a plane that crashed on remote Pebble Island. The Falklanders, who have been given the power to authorise all visits, are holding out against any more. This could be used to reignite nationalist feeling in Argentina, the last thing President Menem wants now. The Falklanders should soften their hearts.

## TIME FOR A CHANGE

Employers should recognise the need for flexibility at work

The average hunter-gatherer, according to anthropologists, spent only 15 hours a week working. By the mid-19th century, 80-hour weeks in factories were commonplace. Now most people in Britain work around half the hours of those Victorians — yet still they feel pressured. A remarkable 86 per cent of working women say that they never have enough time to get things done.

A report published today by Demos — *The Time Squeeze* — tries to explore why time has become such a constraint on our lives. Working hours are longer in Britain than in the rest of Europe, and managerial jobs in particular have become more demanding, with 54 per cent working more than 50 hours a week. A recent NOP poll showed marked dissatisfaction with the time taken out of life by work: more than 70 per cent wanted to work for 40 hours or less, although only 31 per cent actually did so.

In the past, men could more easily work long hours because they had a woman at home to cook, clean, shop and launder for them, as well as raising their children or looking after their elderly relatives. Now that most women, even with children, work, the time available to run an ordinary life has been squeezed. Full-time working women have 15 hours less "free" time than their full-time working husbands; after domestic chores have been taken into account. And the squeeze has worsened recently: between 1985 and 1993, free time for men is estimated to have declined by 4 per cent, while for women, by more than 10 per cent.

Although domestic appliances, such as washing machines, save time, other chores have become more time-consuming. In 1971, 70 per cent of primary school children took themselves to school. Now just 7 per cent are allowed to do so, because of parents' fears of

traffic and abduction. Adults spend 900 million hours a year escorting children to and from school. Their journeys to work have also lengthened: from an average of 5.2 miles in the early 1960s to 8.2 miles now. And the time taken to do shopping has increased as shops have moved out of town.

The most common reason employees cite for wanting to work fewer hours is to spend more time with their families. The silent victims of the work ethic are children, who see increasingly less of their parents. Working women have been forced to join the workforce on men's terms; which usually means spending a requisite amount of "face-time" at their place of employment, regardless of how hard they actually work. Although the world of work has changed hugely over the past 30 years, the rules of work have changed little.

Government regulation is a blunt instrument for dealing with working hours. Employers who want a contented and committed workforce, however, cannot afford to be inflexible. The Demos research finds that 37 per cent of people would like the choice of reducing their work without necessarily harming their career. Most popular would be a year's unpaid leave; or the ability to work partly from home; or a full-time job compressed to four days a week; or taking school holidays as unpaid leave.

Of course many organisations, particularly small businesses, cannot accommodate such proposals. But there are others that have not bothered to ask themselves whether such a change in working practices would be possible. For the sake of their employees — and for a future generation of young adults — they should attempt to introduce greater flexibility. Those that refuse to contemplate it are living in a time warp.

## Who to blame for 'boom and bust'?

From Mrs Sophie Reed

Sir, In 1970, recently married, with a new baby and living in rented accommodation, my husband and I felt encouraged to purchase our first property if he, as a self-employed man, could satisfy the stringent requirements of the building society. Our reasons were:

1. The prospect of buying a home offered better security than renting.
2. We would expect relatively low interest rates to be outweighed by tax-free capital appreciation.
3. The chargeable loan interest would be relieved against income tax at the highest marginal rate.
4. The life assurance premiums would be relieved against tax.

Since none of the above factors apply today, what should — indeed can — the young do?

Yours faithfully,  
SOPHIE REED,  
4 Voltaire, 21 Emmerdale Road,  
Kew, Richmond, Surrey,  
June 2.

From Mr Michael Doughty

Sir, Mr J. B. MacGill (letter, June 3) is right to blame Nigel Lawson for the house price spiral, but Lawson is also to blame for the wild excesses of credit selling. As Chancellor he refused to countenance any credit controls other than interest rates.

Prudence was thrown to the wind, and a new culture was born — the financial services industry. Its members convinced themselves and an unsuspecting public that they had "products" to sell, instead of fulfilling their traditional role of protecting people's money and risk.

Yours faithfully,  
MICHAEL C. DOUGHTY,  
Garlands, Sandy Lane,  
Reigate Heath, Surrey,  
June 3.

From Mr Aubrey A. Seller

Sir, The responsibility for the present state of the housing market must to a great extent fall on the financial institutions, which saw an opportunity to expand their lending capital.

I practised as a solicitor for 35 years, dealing mainly in residential conveyancing. From my experience in the "boom" years of the 1980s, building societies and banks seemed to be competing to lend with little regard to the financial status of the borrower or the value of the property.

I am sure an inquiry into the records of some of the lending institutions would reveal the true reasons why they are now saddled with properties which cannot realise their original advances.

Yours faithfully,  
A. SELLER,  
22 Linden Lea, NZ,  
June 4.

From Mr A. E. Macey

Sir, In his letter of June 3 detailing the counter-productive effects of private sector rent control from 1964 until 1988, Mr Walter Harris asks "how else was one to obtain accommodation?" if not by buying?

For those who could not afford to buy in a rising market, the answer was "the council". However, as house prices rose, the available stock of council accommodation was eroded by the "right to buy" provisions of the 1980 Housing Act.

This shortage was exacerbated by reduced local authority building programmes during the 1980s. Thus both private and public rented sectors were in contraction, leaving little alternative to joining the "mad rush" to buy, whether one could afford it or not.

Given the subsequent taxation changes (Mr MacGill's letter, June 3), it is not surprising that the pigeons have come home to roost.

Yours faithfully,  
A. E. MACKEY,  
43 Rodney Street, Ramsgate, Kent,  
June 3.

From the Reverend C. G. Stables

Sir, Quite a few people in the boom years of the 1980s, having bought their homes years earlier at a reasonable price, were persuaded by building societies and banks to take out second mortgages, or to re-mortgage and so release capital. In many cases this was not used for home improvements but spent on new motor cars, expensive holidays or even yachts.

These people have only themselves and their misleading advisers to blame, if they now find their repayments excessive.

Yours faithfully,  
COURTLEY STABLES,  
Abotslane, Pound Green,  
Buxted, East Sussex.

From Mr Geoff Buckley

Sir, In the summer of 1993 I agreed to purchase shares in the BTJ offer. I paid £4.10 per share, but at last Friday's date they were worth less than £4. As thousands of others must be in the same negative equities situation, can I take it that Mr Major is at this moment devising a plan to rescue us?

Yours faithfully,  
G. BUCKLEY,  
50 Crammore Road,  
Chislehurst, Kent,  
June 5.

Business letters, page 29

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

### Part-timers' help in Church affairs

From the Reverend Martyn Rogers

Sir, Your report (May 29) on the appointment of two "part-time" monks to help in the Church of England's hunt for new bishops and archbishops states that at least one quarter of diocesan bishops are due to retire. The first question is not how to replace them but should they be replaced?

Throughout England parishioners are struggling to pay their parish priest, reimburse his working expenses and maintain the church building. Why does the Church of England need 115 bishops when the larger Roman Catholic Church manages with a little more than 30?

The management structure of the Church of England is too heavy. To sustain it, fewer and fewer people are being asked for more and more money.

Yours faithfully,  
MARTYN ROGERS,  
All Saints' Vicarage, Station Road,  
New Longton, Preston, Lancashire,  
June 1.

From Canon J. R. Giles

Sir, I suppose all us unworried clergy were expected to take note of your admonitions on Monday to accept the greater management skills in our leaders that two part-time monks, Anthony Saxton and Stephen Bampfyde, will find for the Church.

Yet in your well-meaning advice to us from the touch-line you never asked the question who it was who gave us the rotten advice as a result of which the Church Commissioners have now lost their £80 million, and halved their capital base? Surely it was precisely because our leaders did go to the "experts" that we ended up gambling and losing as we did.

Surely we would do better, like David of old, to continue to use that ancient and well-tried experience of the Church: making do, mending and generally getting by with vastly lower incomes and resources to general than comparable secular bodies, relying on the response and generosity of the people to pay our bills (and perhaps even our pensions) rather than take on the weapons and armour of Saul to slay Goliath.

I am however encouraged that Messrs Saxton and Bampfyde are doing their work for free, and that they are both linked to a Benedictine community. It is only from such unselfish service and from a spiritual

starting-point that God's kingdom can be built on a secure base. I wish them well, but repeat the warning: trust not in the armour of Saul.

Yours faithfully,  
JOHN GILES,  
The Vicarage, 47 Handen Road, SE12,  
June 1.

From the Reverend R. G. Garner

Sir, The appointment of monastic headhunters to help others in the task of church management appears innovative, but there are scriptural precedents.

Moses enhanced his leadership skills by learning to delegate effectively (Exodus xviii, 17-27). He implemented some useful tips from his father-in-law Jethro — arguably the first ecclesiastical consultant?

And St Paul was quick to emphasise the importance of competence in organisational matters: he placed administration alongside healing and caring in the hierarchy of Church activities (1 Corinthians xii, 28).

Yours faithfully,  
ROD GARNER,  
St Paul's Vicarage,  
Bridlington Avenue,  
Kingston upon Hull, Humberside,  
June 1.

From the Bishop of Exeter

Sir, Your report on the care being taken to find the next archbishops' secretary and your leading article on the same day on church management are both very welcome, particularly for their emphasis on the clergy's need for continuing training. This has been recognised for some years through diocesan Continuing Ministerial Education Officers.

For bishops, the need was identified by the 1978 Lambeth Conference. The Archbishop's Adviser for Bishops' Ministry, who must have both theological and managerial skills, is now a full-time appointment funded by the Church Commissioners and supported by a training committee of the House of Bishops.

The Church of England is travelling the road your leading article recommends.

Yours faithfully,  
THEWLETT EXON,  
(Chairman, House of Bishops  
Training Committee),  
The Palace, Exeter, Devon,  
June 1.

### Fighting fraud

From Mr Frank Dobson, MP for Holborn and St Pancras (Labour)

Sir, Contrary to any impression that may have been given in your leading article of May 31, "Rotten boroughs" when wrongdoing in local councils is alleged, the Labour Party insists that it should be investigated by legally established authority.

Allegations of financial wrongdoing fall to the council's internal audit service or the district auditor. Criminal offences, including fraud, are a matter for the police.

If it is alleged that Labour Party rules have been broken the party takes action. But it does not have the power, as you seem to suggest, to investigate alleged wrongdoing by council officials.

In Hackney the council, the audit service and the police are investigating allegations of fraud. Dismissals and prosecutions have resulted and the council (report, later editions, June 1; also letter, June 5) is conducting a systematic check on possible fraudulent job applications.

On behalf of the Labour Party I

welcomed the most recent report on the failure of Islington Council to protect children in care and called upon all councils to ensure that what happened there never happens anywhere else.

All the recent scandals have arisen under the inadequate legal framework for which the Government is responsible. We believe the audit service should be strengthened, that the Audit Commission should take on the additional role of a standards inspectorate, and that councils should be obliged to set and publish performance targets.

You also raised the question of the misapplication of equal opportunities policies. Sensibly applied, equal opportunities policies do nothing but good. Equal opportunities do not include opportunities for child molesters to be given charge of children in care.

In the light of the Oxfordshire report into Islington (details, May 24) we are considering what further advice we should issue to Labour councils.

Yours sincerely,  
FRANK DOBSON,  
(Shadow Environment Secretary),  
House of Commons,  
June 1.

### At fullest tilt

From Mr Ronald Walford

Sir, The psychologists Messrs Hecht and Proffit, as quoted by Nigel Hawkes ("Level looks", Mind and Matter, May 29), may have missed an important point in their comments on the poor performance of bartenders and waiters in a test. They were required to draw the water level on a picture of a tilted glass, in which many of them drew lines that diverged from the horizontal.

Waiters carry trays of glasses quickly through cluttered rooms. They swerve frequently yet don't spill a drop. They do this by tilting the tray so that forces of acceleration act more nearly normal to the tray (never exactly normal — only motorcyclists, pilots and applied mathematicians have the nerve to tilt a tray that much).

The liquid surfaces are anything but horizontal, except when the tray is at rest — a condition which is not usual for busy waiters. So what the waiters are doing in the H and P experiment is reproducing, probably quite accurately, their observations of dynamic, not static, liquid surfaces. The reported "error" of 27 degrees may well be linked to coefficients of friction and angular accelerations.

Hecht did his work at the Munich Oktoberfest. My own experiences there left me staggering — in amazement — at the speed of waitresses zig-zagging past crowded benches without spilling a drop. They did this by tilting stein-laden arms and bodies: the liquid surfaces would not have been horizontal during these mercy dashes.

Obviously H and P need to have this demonstrated to them, with invigilation by referees from *The Times*. You, Sir, may choose the restaurant, and they can foot our bill.

Yours,  
RONALD WALFORD,  
The Bastry, Bessels Green, Kent.

### TV and youth crime

From Mr Simon East

Sir, Mrs Pettifor (letter, June 2) sees a link in the dramatic rise in youth crime between 1950 and 1993 and the equally dramatic rise in television ownership.

Between those years there was also an enormous increase in the ownership of washing machines, refrigerators and electric shavers. Are we therefore to assume that these products are also to blame?

Yours faithfully,  
SIMON EAST,  
14 Green Dell,  
St Stephen's, Canterbury, Kent,  
June 2.

### Bonn marks time

From Mr Henry Harvey

Sir, Joe Joseph (report, May 27) on what to call our equal-value European money omits the simplest option — leaving the names as they are. Marks, pounds, francs, lire, etc. — all worth the same, but the pleasures of variety kept.

Yours faithfully,  
HENRY HARVEY,  
Top Cottage (West), Willersey,  
Nr Broadway, Worcestershire.

Letters should carry a daytime telephone number. They may be forwarded to 0171 782 5014

### No queue for the vacant bishopric

From Mr David Webster

Sir, The fact that, as Ruth Gledhill reports (June 3), up to four people have refused the chance to become Bishop of Winchester surely raises questions about the present system of the Crown Appointments Commission in selecting two names to submit to the Prime Minister.

If the selection process of the commission included interviews with candidates for diocesan bishop posts, it would both enable commission members to meet candidates (not allowed at present) and also establish if they would be prepared to accept a post if offered to them.

Yours sincerely,  
DAVID WEBSTER,  
(Communications Co-ordinator,  
Diocese of Rochester),  
5 Rosehill Walk,  
Tunbridge Wells, Kent,  
June 3.

From Mr James Pringle

Sir, Why not suspend the Winchester appointment (plenty of parishes are without any presbyter), or appoint the Right Reverend John Perry, the senior suffragan (he is already doing the job well, or merge the diocese with neighbouring Chichester (their bishop is not for retiring), or double the stipend (with British Gas sponsorship), or advertise the position (no shortage of applicants), or wait until the London appointment is made (then they will come running), or sell the bishop's palace (too large for a couple with no domestic help), and stop weeping for the Crown Appointments king-makers (they love every minute of it)?

Yours faithfully,  
JAMES PRINGLE,  
10 Lansdowne Avenue,  
St Cross, Winchester, Hampshire.

From Mrs Karen Hathway

Sir, Shame on the Church of England clergy who refused the post of Bishop of Winchester. The disciples left their nets and followed Jesus. They did not protest that they were "happy where they are" or that their wives had "good jobs which they don't want to leave".

Yours faithfully,  
KAREN HATHWAY,  
5 Perry Terrace,  
Leamington Spa, Warwickshire,  
June 5.

### Degrees of farce

From Mr Renton Ward

Sir, I read with interest (report, May 27) that Sir Claus Moser, Betty Boothroyd and Sir Ron Dearing will all receive one or more honorary degrees this year, which would take their combined total to 40.

Does not the conferring of these awards, so freely, in some way devalue the efforts of those genuine students who study for many years to obtain their honours or masters' degrees? Why do the universities feel it necessary to keep making such awards; and equally why do the recipients feel they must accept each offer?

Do these people really need all this adulation and the constant acknowledgement of their services? Are they any more worthy of honour than thousands of other people who undertake their daily jobs without formal recognition?

This is a farce and does the universities and recipients no credit at all.

Yours faithfully,  
RENTON WARD,  
5 Cedar Close,  
Lichfield, Staffordshire.

### Europe's philosopher

From Dr Christina Nutton

Sir, Whatever the demerits of the Council of Ministers office complex named after him in Brussels (report, May 29), Justus Lipsius (1547-1606) was neither "obscure" nor "15th century".

Lipsius was a philosopher, classical scholar and historian who moved on a European stage, teaching at Leyden, Jena, and Louvain. His ideas were known and discussed throughout what we now call the "wider Europe", and he sought to build a rapprochement between Catholics and Protestants at the end of a century which had seen the continent and its people traumatically divided.

The name, then, has a more positive message for us than the architecture of the building apparently has, but how sad that it carries so little resonance on this side of the Channel.

Yours faithfully,  
CHRISTINA NUTTON,  
225 Sandpit Lane,  
St Albans, Hertfordshire.

### Health warning

From Mrs Barbara Peacock

Sir, The London Clinic is presently undergoing refurbishment. Their welcoming letter assures each patient of the clinic's intention to "do everything we can to minimise the effects of these improvements". A challenge Mrs Bottomley cannot afford to ignore.

Yours faithfully,  
BARBARA PEACOCK,  
8 North Jesmond Avenue,  
Newcastle upon Tyne.











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## LAW 35-38

Do we really need no win, no fee?



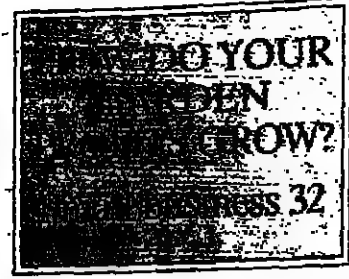
## ARTS 39-41

Vanessa Redgrave bites, and Cleopatra dies



## SPORT 42-48

Barton becomes Britain's most costly defender



# THE TIMES

2

BUSINESS EDITOR Lindsay Cook

TUESDAY JUNE 6 1995

## Squeeze on workers' time blamed for increased stress

British resentful of being obliged to work ever harder

By Bill Frost  
and Rose Tisdman

STRESS, fatigue and general dissatisfaction are plaguing an increasing number of British employees who find that there are not enough hours in the day to both work and relax properly, according to findings published today.

Time is being "squeezed" and there is a "growing gulf between what people want from their jobs and what they get," says Demos, the independent research group. "The cause is the combination of rising

working hours, rising travel times, and rising female participation in the workforce," claims the report. In a series of articles, researchers conclude that Britons are increasingly resentful of being obliged to work ever harder, and of the impact it is having on the quality of their lives. According to Demos, 86 per cent of British women in work say that they never have enough time to "get things done". Some 44 per cent

of workers arrive home exhausted with a quarter of British men now working more than 48 hours a week. The biggest pressures of the new intensive work regime appear to fall upon executives, and particularly on couples where both partners work. The problem is not exclusively a British one: according to the Organisation for Economic Co-operation and Development, average executive working time rose a quarter

during the 1980s. The group's findings point up a "failure of leadership", with 67 per cent of those questioned expressing a "growing distrust" of those who control their working lives. "More employees than not regard senior management as unreliable and untrustworthy sources of information and... this has deteriorated in recent years. A significant minority — perhaps up to a quarter of the

workforce — are deprioritising work and looking for other outlets for their interests and abilities." In a gloomy snapshot of current public attitudes, Demos says that 41 per cent of those approached are "fairly or very concerned" about being made redundant over the next 12 months. Nearly a third "are worried about whether they will receive the pension that their employer will in due course owe them,

few are optimistic about the work environment". The report — "The time squeeze" — says that "large minorities favour the chance to reduce working without harming their careers, the chance to take unpaid leave for a year and rejoin, a four-day week and working party at home".

The group calls for new financing arrangements for parental leave, caring leave sabbaticals and educational leave to help strike a balance between "life and work".

Leading article, page 21

### BUSINESS TODAY

FT-SE 100	2,573.25 (+31.58)
Yield	4.08%
FT-SE All share	1,656.47 (+12.60)
Nikkei	15,997.32 (+43.15)
Dow Jones	4,482.03 (+17.64)
S&P Composite	533.08 (+1.18)

London	1,598.00 (1,598.00)
Paris	2,241.50 (2,241.50)
Frankfurt	7,843.00 (7,843.00)
Amsterdam	1,851.00 (1,851.00)
Yen	135.00 (134.72)
S index	84.2 (84.0)

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\* denotes midday trading price

## IBM fires off \$3.3bn hostile bid for Lotus

By George Sivell

IBM, the world's largest computer group, yesterday launched a hostile \$3.3 billion cash bid for Lotus, the third-largest software group after Microsoft and Novell.

The biggest bid yet seen in the personal computer software industry follows the failure of private takeover talks. IBM said it would pay \$60 a share for Lotus, an 85 per cent premium over its \$32.50 closing price on Friday on the American Nasdaq market.

Lotus shares leaped to \$59 in pre-opening trading. However, IBM shares fell \$3.875 to \$90 after the company said it would pay for Lotus out of its \$10 billion cash pile.

Lotus said it would study the IBM offer and take "appropriate action to preserve and promote the vital best interests of this company". It described the IBM bid as sudden and surprising in the light of negotiations between the two companies that have been under way for several months. Lotus said the talks had included joint development projects.

Analysts believe, however, that because of the differing cultures of the two companies Lotus managers will be worried about being wiped out by the IBM bureaucracy.

Louis Gerstner, the IBM chairman and chief executive, noted in a letter to Jim Manz, the Lotus chief executive: "Because you have been unwilling to proceed with such a transaction, we are announcing

this morning our intention to buy all of Lotus Development Corporation's outstanding common shares."

IBM also noted that Lotus may invoke a "poison pill" takeover defence and said it had started legal action to prevent directors from using the anti-takeover strategy.

Lotus has struggled recently, losing \$17.5 million in the first quarter on revenue down 18 per cent to \$202 million.

If it happens, the takeover would be the largest software deal yet, beating the \$2.1 billion combination of CompuLink Associates International and Legent, announced less than two weeks ago.

Microsoft had planned to acquire Inuit, a maker of personal finance software, for \$2.2 billion but the deal collapsed last month after the American Justice Department

blocked it on anti-competitive grounds.

Mr Gerstner said: "Our goal is to accelerate the creation of a truly open, scalable collaborative computing environment so people can work and communicate across enterprises and across corporate and national borders."

IBM said the acquisition will result "in a significant one-time, non-cash charge against IBM's earnings," to be taken in the quarter in which the deal is completed. The charge involves "accounting writedowns of amounts assigned to research and development of Lotus software under development", it said.

IBM expects the charge "will have a significant effect on the net earnings of IBM in the quarter in which the acquisition is completed and on net earnings for the year."

The bid is thought to be the first such onslaught by a computer hardware firm on a company in the rapidly consolidating software field. Victor Basta, managing director in London of Broadview Associates, a computer mergers and acquisitions adviser, said a rival bid was possible.

"It's pretty unbelievable that IBM would go after a business of this size in this aggressive way," he said. "IBM can do it because they are so big and they have a lot of money in the bank. But this isn't over and done with, necessarily."

Pennington, page 27



My company needs you: Louis Gerstner's IBM targeted Lotus with the biggest bid yet seen in the computer industry

## Colour comes back to Big Blue

IN 1992 IBM lost almost twice as much money as it is now prepared to pay for Lotus. The cause was the advance of personal desktop computers developed by lightweight rivals into the mainframe territory dominated by the more bureaucratic IBM (George Sivell writes).

To move from losses of more than \$6 billion a year to record first-quarter profits this year, Louis Gerstner, IBM's chief executive, has had to part company with 86,000 staff, cut spending on research and development in general and mainframe computing in particular.

Not that the remaining 215,000 staff can feel particularly safe. Cuts aimed at taking a further \$1.5 billion a year out of costs will continue until the middle of

1996 and critics say IBM — pre-Lotus — is still struggling in personal computers and slow in bringing new technologies on to the market. Nevertheless, IBM earned around \$1.29 billion in the first quarter on revenue up nearly 18 per cent to \$15.7 billion.

Against the industrial background the timing of the Lotus deal is superb, putting IBM back at the cutting edge of technology. This may in turn explain the high price that IBM is prepared to pay. Analysts said yesterday they thought IBM was paying a high price.

Some would also say the high price is justified. If the deal is completed it will reshape the personal computer industry, giving IBM a strong range of products to

compete with Bill Gates's Microsoft, the personal computer software leader.

The bid surprised the market yesterday even though a large deal by IBM had been expected, with Lotus earmarked by the industry as a likely candidate.

Lotus has become the leading developer of applications, such as word processing and spreadsheet programs, that work with IBM's OS-2 operating software, a rival to Microsoft's Windows.

Lotus gained prominence on its 1-2-3 spreadsheet program but the company has recently fallen behind Microsoft. The Lotus Notes package leads an emerging niche market that allows people to transmit complicated documents across a communications network.

## Anglian gushes to £216m

By Eric Reguly

WATER companies came under increased pressure yesterday to transfer efficiency savings to their customers after Anglian Water announced that it would give most of its 2.3 million customers a £6 rebate.

The one-off rebate will be paid in the second half of this year. Customers who receive only one service from Anglian, either water or sewage, will receive a £3 credit.

The rebate, the result of a restructuring programme that produced about £20 million in annual savings, is the second announced in the industry. In

March, North West Water set the pace when it said it would give customers a rebate of £6.50 in each year over the next five years, costing a total of £90 million. It also offered shareholders a special dividend of 3.8p per share over the same time period.

Tomorrow, Yorkshire Water, which is expected to report pre-tax profits of £170 million, will probably follow North West's example.

Anglian's rebate came as the company announced pre-tax profits, before exceptional items, of £230 million for the year to March 31, up 19.7 per cent. Earnings per share came in at 71.1p, against 59.2p. After

exceptional charges, for the rebates plus £2 million to help cash-strapped customers, pre-tax profits rose 63 per cent to £216 million. Turnover rose 4.6 per cent to £720.1 million. Anglian is raising its total dividend to 26p (22.8p).

Robin Gourlay, chairman, said: "We are confident that the strong framework now in place will allow us to deliver substantial benefits to our customers and significant dividend growth."

Anglian shares rose 12p to 543p on the higher than forecast dividend increase and the company's plan to seek permission from shareholders next month to buy back up to

10 per cent of its shares. This would cost £160 million at yesterday's price.

Chris Mellor, Anglian's finance director, said it no longer needed to borrow as much as expected at the time of privatisation. Its remaining capital programme would cost less than the £15 billion allowed. The buyback has the tacit approval of Ian Byatt, Director-General of Ofwat.

The international arm of Welsh Water has bought a further 20 per cent stake in SeVik, the Czech Republic's largest water company, lifting its stake to 35.6 per cent.

Pennington, page 27

## Portillo to cut support for UN employment group

By Philip Bassett, Industrial Editor

THE Government is to signal a cut in support for the International Labour Organisation, the UN's principal employment body, Michael Portillo, Employment Secretary, will today say the Government is examining the benefits of continued membership.

The statement, in reply to Commons questions, is expected to stop short of Britain pulling out of the ILO. However, a cut by the UK in its contribution to the ILO's budget, at a time when the US, its principal financial backer, looks

likely to make a similar move, could raise questions about the survival of the body, originally founded in 1919.

Conservative employment secretaries have often examined UK affiliation to the ILO, which has embarrassed the Government on several issues, including labour market policy, but especially over its trade union ban at the GCHQ Cheltenham spy centre.

ILO officials think its annual conference, which opens today in Geneva, may mount the strongest-ever at-

tack on the UK's GCHQ ban, and that the Commons move may be a pre-emptive strike against it.

Ministers were particularly concerned at criticism of UK jobs policies in the ILO's recent *World Employment Report*. Now in response to questions from Alan Duncan, the Conservative MP, Mr Portillo will today make clear the Government's questioning of the benefits of ILO membership, which costs Britain £8 million a year, and pays for 8 per cent of the ILO budget.

Higher than expected growth in passenger traffic helped BAA to achieve a 14 per cent boost to profits last year. Heathrow enjoyed a 7.5 per cent increase to 52 million passengers and Sir John Egan, chief executive, is forecasting a 5 per cent to 6 per cent increase for the group in the current year.

The Civil Aviation Authority will begin its regulatory review of BAA later this month. Sir John said that Britain faced a huge increase in demand for airport capacity. "We are investing £1.4 billion over three years to meet this demand," he added.

Buoyant trade in airport shops generated a 10 per cent rise in retail income, but spending was only 2.6 per cent up per passenger due to building work disruption.

## BAA alert over dividend growth

By Carl Mortished

BAA's multi-billion pound capital expenditure programme could affect the rate of growth in dividends in future years.

The airports group, which made profits of £366 million in the year to March, has raised the payout by 12.5 per cent, despite a £200 million cash outflow. Heavy spending on infrastructure and preparatory work on Terminal 5 together cost BAA £440 million last year.

Nigel Ellis, BAA's finance director, said the cash outflow was expected, with interest cover and gearing within target ratios. He explained that dividend policy was based on a five-year profit average. He said: "We will stick to the five-year formula, but if there is any rounding, it will be down rather than up."

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Dear John  
I gather you now offer a low fixed-rate mortgage with no penalties if I then repay some of the capital early.  
In case I get a bonus in the future, could you tell me more?  
yours optimistically  
Ben Thompson

The fact is that with most fixed-rate and discount mortgages, there are penalties if you subsequently want to make early repayments. That's bad news if you anticipate company bonuses, or other lump sums, which would enable you to pay off some of the capital. But not with the latest exclusive fixed and discount rate mortgages from John Charcol. You can enjoy a two year fixed rate of just 5.95% (APR 6.2%), for example - and then, each year, you can pay off up to half the outstanding balance with no penalties at all. For full details, call (0171) 611 7000, or Leeds (0113) 2470338 or our new Cambridge office on (01223) 464146. Or, drop in and see us at 10-12 Great Queen Street, London, WC2B 5DD.

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TALK ABOUT A BETTER MORTGAGE  
0171-611-7000

Typical Example: A couple (non-smokers, aged 20-30) with a £40,000 endowment mortgage on a property valued at £100,000 repaid over 25 years: 300 gross monthly repayments of £297.50 assuming a fixed rate of 5.95% (APR 6.2%) for the first two years of the loan and further assuming that the variable base mortgage rate remains at 5.95% after the initial fixed rate has expired for the remainder of the mortgage term. In practice the variable base mortgage rate might differ from that assumed. Total amount payable £150,133.63 calculated to include £295 arrangement fee, £107.50 legal fee, £248.00 application fee (including valuation and non-refundable reservation fee) and £223.13 accrued interest. A monthly endowment premium of £65.00 will be payable separately. Loans subject to status, type and value of property. Security will be required. Lending and advice available from John Charcol Ltd, regulated by the Financial Investment Authority. Mortgages are not regulated by the Financial Investment Authority. John Charcol Ltd is a licensed credit broker. Be sure you can afford the payments before entering into a credit agreement.



# Andersen stars in accountancy league

By ROBERT BRUCE

THE UK's "Big Six" accountancy firms are still struggling with a difficult market, according to their annual figures released yesterday. The only real success was Arthur Andersen, which continued its remorseless drive to the top of the league by leapfrogging KPMG into second place behind Coopers & Lybrand.

Coopers remains the biggest UK firm, with fee income to the end of April of £575 million, a rise of 3 per cent. Andersen, helped by the acquisition of Binder Hamlyn, lifted fee income to £539.5 million, a rise of 9 per cent, while KPMG now lies third with fees of £528.4 million, achieved on a growth rate of 6.2 per cent.

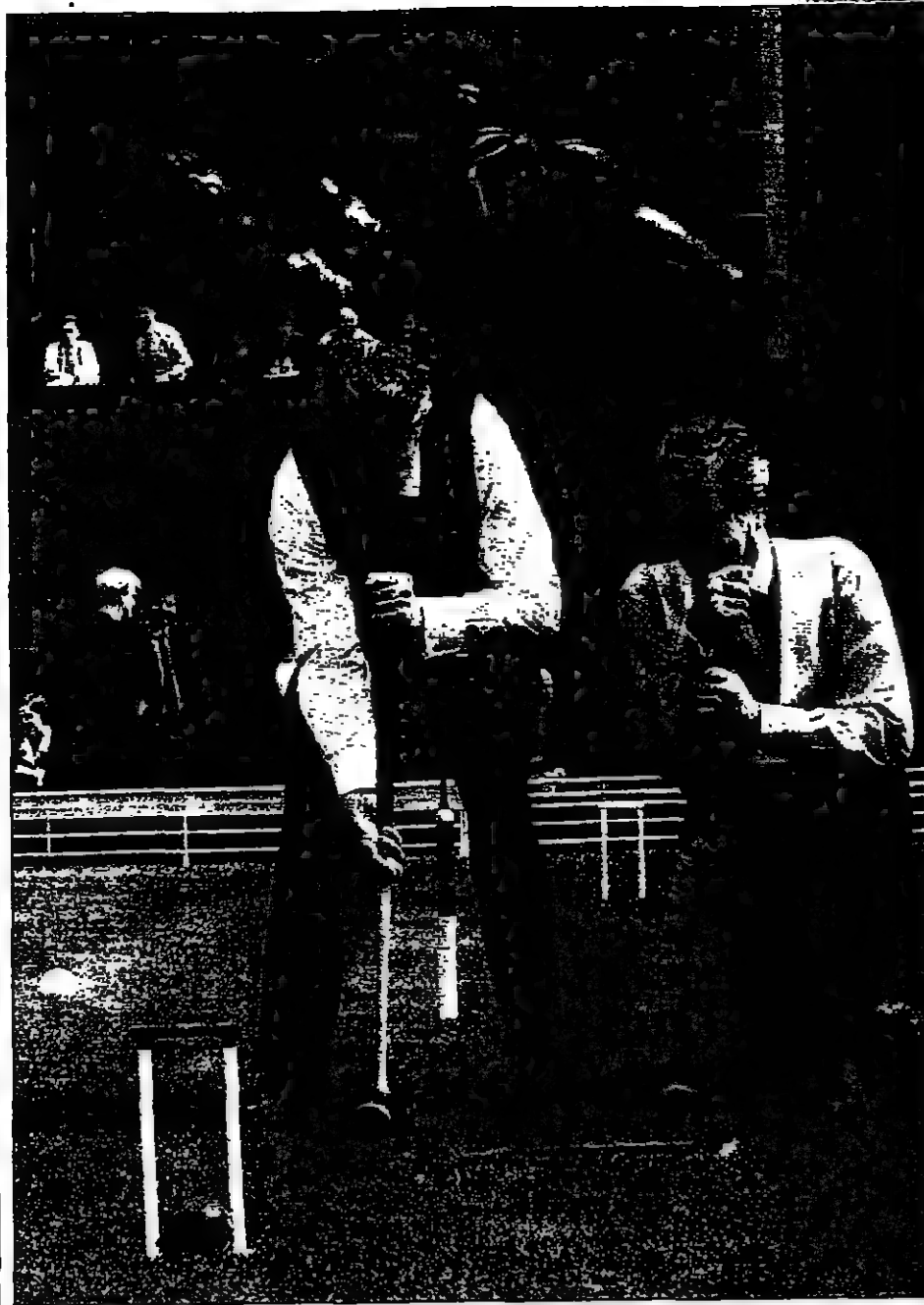
The only firm to go backwards was Price Waterhouse, in fifth place, which produced

a 0.4 per cent fall in fees to £383.2 million. But the firm argued that a significant proportion of the UK staff's current efforts are directed into areas such as Eastern Europe.

The scale of retrenchment can best be seen in the fall in the number of partners at every firm. Coopers' partner numbers dropped from 677 to 607, for example, and Price Waterhouse's partner numbers fell from 415 to 399. One partner said: "You increase partners when you are trying to expand your work, you cut your numbers when you are trying to simply hold on to the work." Coopers partner figures are even more remarkable when compared with their 735 partner figure at the height of the boom in 1991.

The leader in the audit and accounting market, including corporate finance, was KPMG, showing the highest growth, 7.7 per cent, to the highest fees in the sector of £291 million. Colin Sharman, senior partner, said: "Despite the highly competitive marketplace for audit and accounting services, we have been able to grow this business and improve our service quality."

But squabbles also broke out among the firms over the different accounting policies they all use. The figures are unaudited and agreed, roughly, to the same year-end of March 31. Price Waterhouse, which claims not to add European management consultancy work to its UK figures, drew attention to the fact that KPMG clearly included work for Mercedes Benz and the Hong Kong Government in its UK fee figures.



Croquet in the City: Malcolm Kimmins (right), chairman of the Corney & Barrow wine bars, and Earl William de la Warr of Credit Lyonnais, launch a Golf Croquet league. Diary, page 29

## Business failures rise sharply

By JANET BUSH  
ECONOMICS CORRESPONDENT

BUSINESS failures rose sharply in the early part of this year, reflecting the weakness of manufacturing output, according to the latest figures from Trade Indemnity, the credit management group.

The company said it had received reports of 840 business failures in the first quarter, 25 per cent more than in the final quarter of last year but still 19 per cent down on the same period last year. On a seasonal basis, it would have expected around 750 failures. It said manufacturing is likely to have done better in the second quarter but that the strongest revival in corporate profits is now probably past.

Trade Indemnity said that rising wages, fierce competition on the high street and tight government tax and spending policies, together with ominous signs of a slowdown in the US, would make it increasingly difficult for firms to maintain 1994's impressive productivity growth.

Also published yesterday were May figures for M0 narrow money supply. This showed that M0 fell 0.1 per cent, lowering its year-on-year growth rate to 5.9 per cent from 6.2 per cent in April. The fall in May was almost entirely due to a drop in bankers' operational deposits held at the Bank of England.

The International Chambers of Commerce yesterday urged leaders of the Group of Seven industrialised countries meeting in Canada next week to put their own economic houses in order. The ICC said governments should make substantial cuts in budget deficits, initiate more structural reforms, adhere strictly to Uruguay Round trade accords and reform health care and pension systems in anticipation of the burden they could impose on public finances.

Market insight, page 29

## Top pay legislation likely to be ruled out

THE Greenbury committee on executive pay meets tomorrow to discuss draft conclusions that appear to rule out legislation to curb "excessive" remuneration. The committee is expected instead to recommend changes in Stock Exchange requirements that would force companies to consult shareholders about proposed changes in pay arrangements.

The committee is apparently proposing a shift away from share option schemes as the cornerstone of executive bonuses. The draft is likely to recommend that bonuses be linked to performance over two or three years and paid in shares that would be held in trust. *Fine art, page 28*

## Transatlantic pact

AMERICA and Britain reached a limited agreement yesterday on further freedoms being introduced on transatlantic air travel. A second American carrier, expected to be United Airlines, will be allowed to fly to Chicago from London Heathrow in return for an additional flight by British Airways between Philadelphia and London. The freedoms follow meetings on June 1 and 2 on a "mini-deal" as a step towards what America describes as "open skies" between the two countries.

## Bank in 'sell-off talks'

STANDARD CHARTERED is believed to be in talks with about six potential buyers of a stake in its loss-making securities business, based in Hong Kong. The bank yesterday refused to comment on speculation in the Far East that the Thai Military Bank, one of the country's biggest banks, has emerged as the most likely buyer of an 80 per cent stake. Newspapers in the Far East were speculating that a sale for an initial \$8 million and a further \$16 million to recapitalise the business could be concluded within two weeks.

## Last hurdle for C&G bid

LLOYDS BANK faced the final hurdle in its takeover of the Cheltenham & Gloucester Building Society yesterday when the Building Societies Commission met in London to consider any final objections to the bid. Just 12 C&G members were due to make oral representations. These, plus 100 written submissions, are apparently all that remains of the huge protest that has dogged the planned acquisition since it was announced. The takeover is due to take place on August 1. A £1.8 billion bonus will be shared by members. *Stock Market, page 28*

## Tunnel traffic slows

THE number of cars carried on the Eurotunnel cross-channel rail link fell 16 per cent from April to May, or from 96,735 to 80,995 cars. Eurotunnel blamed the fall on the peaks reached during the busy Easter weekend in April and competing attractions such as VE Day celebrations, the FA Cup Final and the French elections during May. Eurotunnel conceded last week that it was heading for a showdown with its bankers in the Autumn. It intends to increase traffic 70 per cent from July 10 in time for the peak summer holiday rush.

## Scottish bank upsets lobbyists

THE Bank of Scotland has worried corporate governance lobbyists with plans to limit its shareholders' power to put down resolutions at its annual meetings (Patricia Tehan writes). At an extraordinary meeting on June 20 the bank plans to ask shareholders to change a 75-year-old rule allowing a single shareholder to put down motions. It plans amendments so that only single shareholders representing at least 5 per cent of voting rights can act. A small shareholder would need the support of at least

99 others. Sir Bruce Patullo, governor and chief executive, said: "Unless we take some steps to move towards Companies Act practice, we could find that our AGM is manipulated by persons without an interest in the bank."

Anne Simpson, joint managing director of the Pensions and Investment Research Consultancy, said: "We appreciate the company does not want frivolous shareholder actions. But... the move is now for greater shareholder participation, not less."

### TOURIST RATES

	Bank	Bank
	Buy	Sell
Australia \$	2.38	2.16
Austria Sch	13.73	13.28
Belgium F	48.00	44.70
Canada C	2.259	2.138
Cyprus Cyp	0.748	0.804
Denmark Kr	9.37	8.57
Finland Mk	7.44	6.79
France F	8.58	7.83
Germany Dm	8.40	2.18
Greece Dr	375.00	360.00
Hong Kong \$	12.65	11.55
Ireland Pt	1.08	0.95
Israel	8.2773	4.5273
Italy Lit	852.00	9540.00
Japan Yen	148.50	132.50
Norway Kr	0.587	0.548
Netherlands Gld	2.683	8.433
Portugal Esc	10.28	8.78
Spain Ptas	947.00	208.50
Sweden Kr	rel.	6.43
Switzerland Fr	201.30	188.30
Turkey Lira	12.57	71.47
USA \$	1.98	1.80
USA \$	1.88	1.88

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

# Taking off for the 21st century

Air traffic is expected to grow steadily. In south-east England alone passenger numbers will double by 2013. That's good news for BAA and for the UK economy - provided our airports can cope.

And that's the other good news - the good news for Britain. BAA is spending more than a million pounds a day developing airports ready to meet the challenges of the 21st century. In the last few months alone it has

opened exciting new international departure lounges at Gatwick, a redesigned Terminal One and the world's first international Flight Connections Centre at Heathrow; an international pier at Glasgow, and a completely

redeveloped regional airport at Southampton.

This is a company that has

objectives today but has its eyes on tomorrow.

And in doing so it serves both its shareholders

and the nation.

Heathrow • Gatwick



□ Rivals should avoid the Anglian stream □ Accountants add up their sums □ IBM programs a brighter future

## Drowning the water contract

□ ANGLIAN has become the first water company to succumb to the voracious demands of institutional investors to gear up its balance sheet and hand over the cash. Others, such as Welsh, will now be under even more intense pressure to follow suit. But any such trend would surely prove a political mistake.

You can see Anglian's problem. Its core business is performing very well. Management has cut costs so decisively and ingeniously that it can give customers a rebate, make quality improvements not allowed for by the regulator and still offer shareholders a 14 per cent step rise in dividends. Yet Anglian's shares remain the third lowest-rated in the sector. With predators trawling the coast, and special takeover protection gone, the board needs to appease fund managers.

Among regional electricity groups, which are cash cows even after cutting charges to customers, buybacks are common. But water is different. Prices have had to rise steeply in real terms to fund the £30 billion investment programme set at privatisation. Profits need to be high — nearly 40 per cent of utility turnover at Anglian — because two thirds are ploughed back into investment. At An-

glian, about a third of customer charges go straight into investment. Only a third of investment is financed by shareholders to stop the companies becoming dangerously overborrowed.

But if Anglian now says it can afford to spend £160 million to buy back equity capital and raise loan gearing from 38 per cent to two thirds, this equitable relationship between customers and shareholders becomes a nonsense. Customers do not need to spend anything like as much financing long-term investments out of charges. Instead, shareholders can safely finance them through borrowing and customers need only pay the interest. Anglian customers' bills are, on average, 30 per cent above the national average. The higher gearing it envisages would allow them to be cut by about £50 a year, or more than 15 per cent, for five years. In the harsh world of takeover threats, myopic investors and political hostility, utility managers must leave such niceties to regulators. In this case, Ofwat does not

seem to care. It drew up price limits to allow a given rate of return on capital employed, gearing only featured if it might become too high. That hardly seems sensible when higher gearing offers the easiest way to cut bills.

Electricity companies that have bought back their capital would have little defence against a selective utility levy imposed by Labour or seized on by Kenneth Clarke to finance tax cuts. Water companies are in danger of joining them. Anglian is a responsible company. It should withdraw its plan before others are badgered into following suit.

### Auditors need to audit themselves

□ BIG SIX accountancy firms are big businesses by any standard. Three of them book fee income of more than £500 million a year at their UK practices, yet these are only a fraction of the size of international firms so



global that they make advertising agents look parochial. As their 1994 figures suggest, however, their size also makes them slaves to economic trends.

These partnerships do not yet reveal profits, though they surely will if regulations change or when parts are incorporated. If they did, they would doubtless show some of the benefits of consolidation in the previous two years. The depth of cuts can be measured by the drop of nearly a fifth in the number of partners at Coopers & Lybrand since its post-merger peak.

As lucrative insolvency work has, thankfully, tailed off, under-

lying growth has remained weak, except in the specialised consultancy areas that have helped power Arthur Andersen in Britain, as worldwide. They now have difficult choices to make. Should they revert to being cost-effective passive service businesses, or should they spend, as in the boom days, to grow into new sectors and new markets, as Price Waterhouse has invested in Eastern Europe?

The danger in that approach is that the core business, auditing and accountancy, is most in need of attention and re-marketing. For many years, the top firms have had to rely ever more on systems and ever less on legwork to compete in a cutthroat market for big company audits — and to justify the hourly fees partners charge to finance comfortable lifestyles and heavy overheads. Yet auditing, and like work on acquisitions and prospectuses is what their reputations stand on. It is also the most vulnerable to litigation and legislation. Auditing mistakes caused by com-

petition and cost-cutting damage other businesses.

Burgeoning legal risk is leading them to limited liability. It can only be a matter of time before they are prevented from acting as advisers to management of big companies when they are auditors beholden to shareholders or audit committees. The Big Six face another testing rethink.

### Big Blue harbours big-fish ambitions

□ TIMES have indeed changed at Big Blue. The extraordinary aggression of its swoop on Lotus, which would not have disgraced Gordon Gekko, would have been unthinkable two or three years ago, and not only because of the parlous state of IBM's finances before its corporate rescue.

Bill Gates, the Microsoft founder, and his worldwide predominance in computer software probably has much to do with IBM's new direction. Mr

Gates's expansion plans have been blocked on competition grounds, but IBM's planned vertical integration presumably runs no such risk. IBM sees software as the higher-margin way ahead. Lotus would take it further away from mainframes and into its chosen area of "client-serving" networks using desk-top technology, allowing it to offer a more complete package, including software, while providing access to a valuable customer base.

Lotus, in number three position in software but well behind Microsoft, would clearly be stronger for a merger with IBM, or with anyone else on a list of rumoured suitors who might be tempted to come in with a rival bid. Corporate deals in software in the US last year virtually doubled in value, from \$5 billion in 1993 to just short of \$9 billion; a completed purchase of Lotus would push the total so far this year to \$5 billion. In the future, the software industry will segment further, into shoals of small, entrepreneurial businesses and a few big fish taking advantage of economies of scale. IBM, which itself has a chequered career in software development, has decided to buy into this new big league.

## Profits at components distributor surge 18%

By PHILIP PANGALOS

STRONG sales growth in Britain and a successful push into overseas markets helped Electrocomponents, the distributor of electronic, electrical and mechanical components, to an 18.4 per cent surge in full-year profits.

Organic growth, fuelled by new product innovations and an expanding product range, saw pre-tax profits advance to a better-than-expected £86.1 million in the year to March 31, on sales ahead 19.2 per cent to £472.6 million.

The diverse range of products distributed by Electro-

components, ranging from a 17p pack of resistors to a £3,000 reel of cable, grew from 44,500 to 52,300 line items. Gross margins were static and the average order value remained at £80-£90, but the frequency of orders continued to increase, while customers grew by 8 per cent to 120,000 in the UK alone. An increased UK trade counter network from 11 sites and a guarantee of overnight delivery for orders placed before 8pm helped British sales from the core RS Components division grow 14.6 per cent to £320.2 million.

Fast-expanding overseas sales topped £100 million for the first time, rising 43 per cent to £114.6 million.

Bob Lawson, chief executive, said: "We've seen good solid volume growth in the UK and there is still tremendous potential for us in the international market. France is still our biggest market, but Germany also grew very strongly. The international market offers us massive potential."

He said the group has had a "tremendous response" since the introduction last July of a

CD-Rom catalogue, with more than 155,000 discs issued, while versions have also gone out on floppy disk and the Internet.

There is a final dividend of 8p (7p), payable on August 14, lifting the total dividend for the year by 18.4 per cent to 11.25p (9.5p), from earnings ahead 19.7 per cent to 27.4p (22.9p) a share. There is also a one-for-one capitalisation issue. The shares jumped 32p to 619p.

Times, page 28  
City Diary, page 29

## Amersham poised to buy specialist

By NEIL BENNETT

AMERSHAM International, the radioactive isotope manufacturer, is poised to acquire Fluorescence, a specialist technology company in the US, for about £4 million.

The deal is expected to be announced today when Amersham reports its full-year figures. Fluorescence is the latest deal in the group's drive to expand its portfolio of proprietary technology. The company has developed a method of marking cells by making them fluorescent. The treatment can be used in the detection and treatment of cancers.

Amersham has made a series of acquisitions in recent months. The most significant was its purchase of a 20 per cent stake of Nihon Medi-Physics last October, which has given it access to the Japanese market.

Amersham is improving the distribution of its products in international markets. Today it is expected to announce that it has organised direct, same day, delivery of its radioactive products in the US to hospitals and industrial users. This will prevent any delay from distributing through agents.

## Ladbroke sells US office development

By CARL MORTSHED

LADBROKE GROUP has raised more than £100 million from the sale of a Massachusetts office complex owned by London & Leeds Corporation, its property arm. The sale will cut its borrowings to just over £1 billion by the year end.

The Shorenstein Company, a private US property investor, is paying \$163 million for the 829,000 sq ft Bay Colony Corporate Centre outside Boston. The disposal forms part of Ladbroke's three-year plan to withdraw from property investment, a policy set in train when John Jackson and Peter George became chairman and chief executive, respectively in January last year. Mr George

said the disposal represented a fifth of the remaining portfolio and the cash would cut group debt. "We have achieved a record price for this type of property in the Boston area, which bodes well for our efforts to dispose of other US properties," he said.

Ladbroke has received \$40 million and is due \$75 million in December with the final \$48 million in December 1998 and secured by a mortgage on the property. Bay Colony comprises three buildings in 68 acres of woods in the Boston suburbs and is 97 per cent let with an \$8.6 million rent roll.

Times, page 28

# the 21st century.

In no other country in the world is this kind of national infrastructure provided, maintained and operated at no cost to the taxpayer. How, then, is this possible in Britain? Because of a clear and consistent strategy.

### HIGHLIGHTS OF THE FULL YEAR ENDED 31 MARCH 1995

Group revenue £1,159m up 5.6%  
Pre-tax profit £366m up 13.7%  
Earnings per share 27.3p up 16.2%  
Dividend per share 10.125p up 12.5%  
Passengers 87.7m up 7.1%

concentration on core strengths, continuous improvement, efficient airport operations, imaginative property management and popular retailing, all of which contribute to profits adequate both to serve its share-

holders and to meet its need to invest.

These days people are beginning to look ahead to the 21st century. But in its thinking, planning and investing BAA is already there.

Heathrow • Gatwick • Stansted • Glasgow • Edinburgh • Aberdeen • Southampton

**BAA**



## STOCK MARKET

MICHAEL CLARK

# Shares soar to best level for almost 16 months

SHARE prices soared to their highest level for almost 16 months as persistent talk of a possible cut in American interest rates spurred investors before today's meeting between the Chancellor and Eddie George, Governor of the Bank of England.

Further evidence of a slowdown in the economy and another promising start to trading on Wall Street, where IBM set tongues wagging with its \$33 billion bid for Lotus, provided the impetus for another strong performance by the London equity market. The FT-SE 100 index closed at its best of the day, and for the year, with a rise of 31.6 points to 3,376.6 as share prices were squeezed steadily higher.

An absence of sellers kept market-makers — already short of stock — on their toes and this was reflected in the low turnover levels. By the close of business a meagre 468 million shares had changed hands. Brokers are sceptical that tomorrow's meeting between the Chancellor and the Bank Governor will produce a rise in rates, but take the view that rates are at least likely to remain pegged.

Among leading shares Zeneca stood out with a leap of 28p to 992p on talk of a bid by Hoffman La Roche, the Swiss drugs group. Speculators claim it may be prepared to offer £12.50 a share for Zeneca, which was hived off by ICI a couple of years ago. This would value the entire group at more than £12 billion. There was also talk that Hanson, 2p better at 234p, may be interested in bidding for Zeneca's agrochemical side.

VSEL fell 13p to £18.20, despite reports over the weekend that GEC will this week re-launch its bid for the Trident submarine maker after government clearance. BAE, up 10p at 542p, last week threw its hat back into the ring by offering the same terms as before. However, its share price has climbed strongly since the original offer was referred to the Monopolies Commission. GEC closed 2½p stronger at 327½p.

The speculators were also nibbling away at Laura Ashley, the soft furnishings group, as the price advanced 5p to 81p. This followed claims that George Mosbacher, the American businesswoman, wants to make a bid.



George Mosbacher may be ready to bid for Laura Ashley

Mosbacher is said to have approached PaineWebber, the US investment bank, as an adviser and has approached Sir Bernard Ashley, who has 34 per cent of the shares. Laura Ashley have fallen sharply from their 1986 peak and the group is now valued at less than £200 million.

Argo Wiggins Appleton fell 10p to 253p on the back of

its fall from £322 million to £366 million. British Airways also went ahead, rising 1½p to 409½p after reporting a near 6 per cent improvement in the number of passengers carried. Eurotunnel failed to capitalise on an increase in market share on its Dover/Calais route, with the price easing 1p to 183p. It now has 35 per cent of the heavy goods vehicle

market and 30 per cent of cars. Anglian Water, up 12p at 543p, kicked off a busy week for the water companies with a near 20 per cent hike in full-year pre-tax profits to £192.2 million as the benefits of last year's restructuring began to filter through. Shareholders were rewarded with a better-than-expected 14 per cent in

several sell recommendations. Warburg Securities and at least one other broker are believed to have turned bearish. There is also talk that AWA is poised to make an acquisition in the US worth at least \$200 million.

BAA Group slipped 3p to 484p after reporting an increase in full-year pre-tax profit

of £1.1 billion. The airline group's profit rose to £1.1 billion, up from £1.0 billion in 1994. BAA's share price fell 3p to 484p, while the FT-SE 100 index rose 31.6 points to 3,376.6.

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crease in payout to 26p. Northumbrian, which reports this week, was unchanged at 913p. Thames was 2p firmer at 508p.

Metro Radio, the independent radio broadcaster, hardened 1p to 478p after it emerged that Chrysalis and rival Capital Radio, two of its biggest shareholders, have put their holdings in the company totalling 37.6 per cent up for sale. This led to a revived bid speculation as a single purchaser of the combined stake would immediately trigger a full bid. Capital Radio finished 1p better at 446p, while Chrysalis was unchanged at 261p.

Wyndeham Press, the fast growing printer, was rewarded with a rise of 5p to 155p after doubling pre-tax profits to £3.52 million. Last year's acquisitions have all exceeded expectations and more are planned. Trading in the current year is ahead of budget. NatWest, the broker, which had pencilled in a final figure of £3.9 million, is now forecasting profits of £4.1 million. First-time dealings in Gradus, the non-slip stair trimmings group, got off to a positive start. Placed at 122p, the price ended the day 4p higher. Silk Industries also made headway after the shares were placed at 132p. They closed at 135p.

GLT-EDGED: The market consolidated most of last week's gains as talk persisted of a cut in base rates. But with bond markets in France and Germany closed for a public holiday, trading conditions proved thin. This was best reflected in the futures pit, where the September series of the Long Gilt saw a meagre 34,000 contracts traded. It ended the session 1½p firmer at £108½.

There was a further steepening of the yield curve among conventional issues. At the longer end of the market Treasury 8 per cent 2013 finished three ticks better at 102½, while in shorts, Treasury 8 per cent 2000 was 1½p higher at 102½. Index-linked issues suffered falls stretching to 1½p. NEW YORK: Wall Street shares extended their gains at midday, with IBM's cash offer for Lotus Development boosting technology issues. The Dow Jones industrial average was 17.64 points better at 4,462.03. Advancing issues led declining shares 13 to seven.

## MAJOR INDICES

New York (midday):	
Dow Jones	4462.03 (+17.64)
S&P Composite	533.69 (+1.18)
Tokyo:	
Nikkei Average	15977.32 (+8.19)
Hong Kong:	
Hang Seng	9570.37 (+10.63)
Amsterdam:	
AEX Index	Closed
Sydney:	
ASX 200	3011.7 (+5.0)
Frankfurt:	
DAX	Closed
Singapore:	
SEAC	2218.03 (+9.52)
Brussels:	
Generel	Closed
Paris:	
CAC 40	Closed
Zurich:	
SIX	Closed

London:	
FT-SE 100	3376.6 (+31.6)
FT-SE 250	3090.1 (+15.6)
FT-SE 100	1676.3 (+13.8)
FT-SE 250	1375.7 (+1.48)
FT All-Share	1556.47 (+12.69)
FT Non-Financials	1772.40 (+11.57)
FT Financials	1148.00 (+6.46)
FT Govt Secs	95.51 (+0.27)
Burgundy	2281
SEAQ Volume	499.36
USM (Dollars)	157.90 (+4.79)
US\$	1.5945 (+0.0033)
German Mark	2.2451 (+0.0081)
Exchange Index	84.2 (+0.3)
Bank of England official close (open)	
ESX	1.0222
RPI	149.0 Apr (3.3%) Jun 1997-100

## RECENT ISSUES

Brit Aero Cap Up p/p	727	+3
Dumay IT Mthly Div	105	...
Finbury Worldwide	101	...
General Cable (190)	177	+2
Gradus Group (122)	126	...
Gus Carter (80)	92	...
Langdon Foods (3)	650	...
Oxy India Wts	230	...
Precoat Int (125)	141	...
Schroder Inc Grh Pd	108	...
Schroder Inc Grh Wts	27	...
Silk Industries (125)	135	...

## RIGHTS ISSUES

Daniels (5) n/p (34)	25	-3
Prime People (14)	1	...
Regal Hotel n/p (35)	4	...
Scott/New Non-Int n/p	39	+5

## MAJOR CHANGES

BSSE:	
Nat West	5740 (+17p)
Carson	2800 (+10p)
ICI	7960 (+11p)
Law Services	3530 (+10p)
Staveley	1960 (+10p)
Palin	3960 (+18p)
Br Aerospace	5420 (+10p)
W Foods	2890 (+12p)
De La Rue	9270 (+11p)
REXAM	5020 (+12p)
MEPC	4130 (+7p)
Kwik Save	6080 (+9p)
Argos Plc	4530 (+8p)
Scotts	2890 (+11p)
GUS	6390 (+10p)
Argyl	3420 (+11p)
FALLS:	
Broken Hill	7850 (-11p)
Recoil Elec	2580 (-8p)
CRA	8230 (-12p)
Argo Wiggins	2530 (-10p)
Capitol Inds	1400 (-5p)
Chadco Sec	5200 (-7p)
MR Data Mgt	500 (-4p)
Security Serv	830 (-3p)

Closing Prices Page 38

## TEMPUS

### Terminal condition

IN the battle to win hearts and minds over the proposed fifth terminal at Heathrow, BAA is cast by its opponents as a corporate monster seeking to please its shareholders at the expense of the environment. This caricature hides BAA's pursuit of a more complex strategy and fails to appreciate that it is not in BAA's financial interest to build Terminal 5.

For BAA, pleasing shareholders is a simple business of squeezing revenue out of existing space with occasional selective development of airport sites for retailers and airlines. There is no reason for the group to dilute earnings with a huge increase in fixed costs simply to capture a few extra planes that might otherwise fly to Schiphol or Charles de Gaulle. The Statist's experience shows that BAA will not fill the new terminal on the day it opens and it will start by stealing customers from

sister terminals at Heathrow. Of course, passenger numbers are increasing well ahead of economic growth rates. Even in recession, the upward spiral continues as airlines cut fares to fill planes. But BAA is a private company — we are repeatedly told — not a government agency seeking tourist dollars for Britain. With traffic growing at 5-6 per cent, BAA shareholders are probably better off foregoing new capacity, keeping costs down and watching service charges rise.

That would be the strategy in a regulator-free world. The MMC's review of airport charges begins next year. Short-term, a package of measures will help BAA: rent reductions for airlines and better facilities for passengers. But preserving the BAA monopoly long-term requires a commitment to develop. If that means sacrificing short-term growth, so be it.

## Emap

SHARES in Emap, selling on 17 times prospective earnings, are a straight bet on the management's ability to come up with further growth. But the same has been true for three or four years, a bet that investors have so far won.

Emap acquired a reputation for creating new publishing titles in previously uncharted areas. It has since become known for its relentless acquisitiveness, with radio the latest favourite.

The management has never been shy of touching shareholders to fund this growth, while shareholders have yet to regret their generosity — the last cash-raising, in September, was at 360p.

That reputation for new launches took a battering as Car Week, probably Emap's most high-profile creation,

## Electrocomponents

EVERY time it appears that that Electrocomponents and its rivals have saturated the British market for electronic widgets, the nation's anorak brigade demonstrate their insatiable appetite.

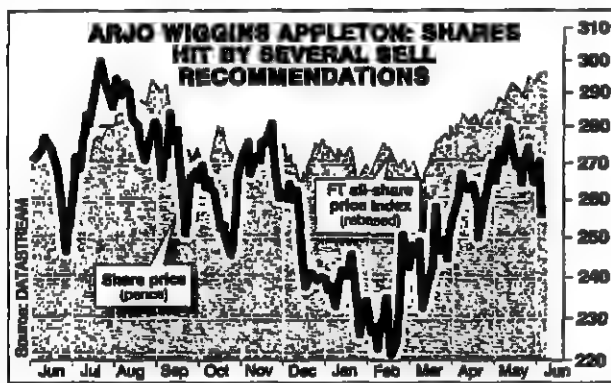
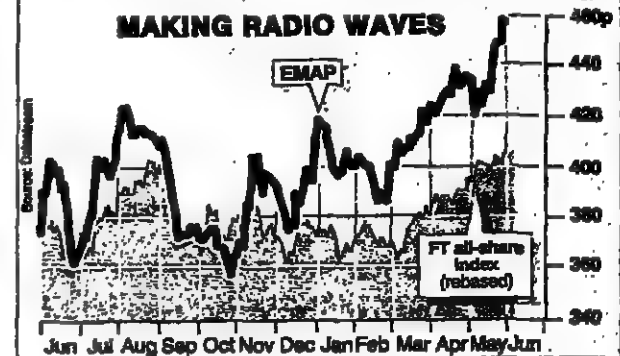
RS Components, the group's main domestic subsidiary increased sales, by an impressive 15 per cent to £320 million during the year, by expanding its range 17.5 per cent and improving its catalogue level of 2.4 times. That would be icing on the cake for shares whose dizzying rating reflects the quality of the management and the business.

## Ladbroke

A market musing over takeover scenarios involving Ladbroke and the American Hilton Hotels chain gave little credit to UK leisure company for selling off a large chunk of its property portfolio yesterday. A disposal at book value

was good news but the sale of the Bay Colony has been mooted for some months and an undisciplined observer might suggest that a bid in the region of \$160 million was in the air when Ladbroke wrote down its portfolio by £43 million to £18 million at the end of December. All the same, the market heard what it wanted to hear: that Ladbroke could find buyers for its biggest property assets at sensible prices. Bay Colony's sale will do little to reduce gearing since much of Ladbroke's debt is tied up in the properties, but it allows the company to redeploy capital in core activities, such as hotels or casinos. Hopes for more hotels may be the real reason for a sluggish share price. The market believes a large rights issue would accompany a Hilton deal and investors see little reason to buy now for a discounted share is close.

EDITED BY NEIL BENNETT



## COMMODITIES

LONDON COMMODITY EXCHANGE			
Jul	Aug	Sep	Oct
COKE	940.00	940.00	940.00
Jul	940.00	940.00	940.00
Aug	940.00	940.00	940.00
Sep	940.00	940.00	940.00
Oct	940.00	940.00	940.00
Nov	940.00	940.00	940.00
Dec	940.00	940.00	940.00
Jan	940.00	940.00	940.00
Feb	940.00	940.00	940.00
Mar	940.00	940.00	940.00
Apr	940.00	940.00	940.00
May	940.00	940.00	940.00
Jun	940.00	940.00	940.00
Jul	940.00	940.00	940.00
Aug	940.00	940.00	940.00
Sep	940.00	940.00	940.00
Oct	940.00	940.00	940.00
Nov	940.00	940.00	940.00
Dec	940.00	940.00	940.00
Jan	940.00	940.00	940.00
Feb	940.00	940.00	940.00
Mar	940.00	940.00	940.00
Apr	940.00	940.00	940.00
May	940.00	940.00	940.00
Jun	940.00	940.00	940.00
Jul	940.00	940.00	940.00
Aug	940.00	940.00	940.00
Sep	940.00	940.00	940.00
Oct	940.00	940.00	940.00
Nov	940.00	940.00	940.00
Dec	940.00	940.00	940.00
Jan	940.00	940.00	940.00
Feb	940.00	940.00	940.00
Mar	940.00	940.00	940.00
Apr	940.00	940.00	940.00
May	940.00	940.00	940.00
Jun	940.00	940.00	940.00
Jul	940.00	940.00	940.00
Aug	940.00	940.00	940.00
Sep	940.00	940.00	940.00
Oct	940.00	940.00	940.00
Nov	940.00	940.00	940.00
Dec	940.00	940.00	940.00
Jan	940.00	940.00	940.00
Feb	940.00	940.00	940.00
Mar	940.00	940.00	940.00
Apr	940.00	940.00	940.00
May	940.00	940.00	940.00
Jun	940.00	940.00	940.00
Jul	940.00	940.00	940.00
Aug	940.00	940.00	940.00
Sep	940.00	940.00	940.00
Oct	940.00	940.00	940.00
Nov	940.00	940.00	940.00



## THE TIMES CITY DIARY

### Room for a few more on top

NATWEST Stockbrokers, the private-client operation bought by the bank from Fielding Newson-Smith at the time of Big Bang, appears to be crumbling at the edges. On May 19, five experienced stockbrokers resigned to join SGST (Investment Advisers). On June 1, a further two left to join Charles Stanley. Now two more have quit — Paul Heber, to join his colleagues at SGST, and dealer Daniel Southgate, who is returning to Smith New Court.

Thus nine people from a department of just over 30 have walked out the door in less than three weeks. As one said, "it has become just like a bus... people are ringing the bell and telling the bus conductor they want to jump off." One of the roots of dissatisfaction is a feeling that the executives' move the goalposts, move the balls, and redraw terms and conditions of employment at the drop of a hat. Steve Quidington, managing director, said he was "obviously disappointed to lose any staff," but replacements can easily be found.

### Time well spent

IF FOR three days starting on June 14 your secretary goes absent without leave, do not fret. She could be at London's Olympia 2 taking notes on how to make your office even more efficient. *Crème '95* — The Executive Secretary Show, which is being sponsored by *The Times*, has already attracted more than 2,500 pre-registered visitors, and a further 6,000 are anticipated when the doors open. There are 150 companies exhibiting at this maiden show, and entrance is free.



"Thanks for the water — can I have my £6 rebate?"

A PITCHER of Pimms if your "name" is chosen by Corney & Barrow, which is looking for amusing team titles for its Gold Croquet League (City Diary, Thursday) starting at Broadgate on July 17. Its two teams are The Lawn Rangers and The Pull Mallets. Foreign & Commonwealth's team is The Gunstingers. Entries, via fax 0171-782 5082, close July 1.

### Heavy reading

NOT only weighty figures, but hefty catalogues too, arrive from Electromounts. They are sent three times a year to 120,000 UK customers, and include 52,300 items, ranging from a 17p pack of resistors to a £3,000 reel of cable, and absorb 3,500 tons of paper — enough to wrap round the world five and a half times. Roy Cotterill, chairman, assures me it is all environmentally friendly as the paper comes from managed forests.

### On the move

HAVING done his best to break down "elitist" barriers and take Coutts & Co into the 20th century, Michael Maslinski, its former head of business development, is to try to do the same for its rivals. Maslinski has left the Queen's bank to set up his own strategic marketing consultancy and already has lined up three clients.

COLIN CAMPBELL

# Market hindsight falls in line with Clarke foresight

The Chancellor's "street cred" has risen dramatically in the past month. Janet Bush reports

U nanimity among City economists is often an excellent contrary indicator. Before the last monetary meeting in May, the City was convinced that Kenneth Clarke would agree to a rise in base rates. He didn't.

The City is now just as sure that the Chancellor will not raise interest rates when he meets Eddie George tomorrow. Of 20 economists surveyed last week, 19 thought rates would stay at their current 5.75 per cent.

It would be folly, given such a display of confident agreement, to rule out a base rate rise tomorrow. Even if higher rates would go against the grain of the past month's economic evidence, which has confirmed that the pace of economic recovery is slowing, there are some tactical arguments that might appeal to the Chancellor.

The opportunity to confound market expectations for a second month running is tantalising. Mr Clarke may feel, after the rumpus surrounding his decision not to raise rates last month, that raising them against the consensus would wipe out any suggestion of a damaging rift with the Bank of England and regain whatever credibility he had lost.

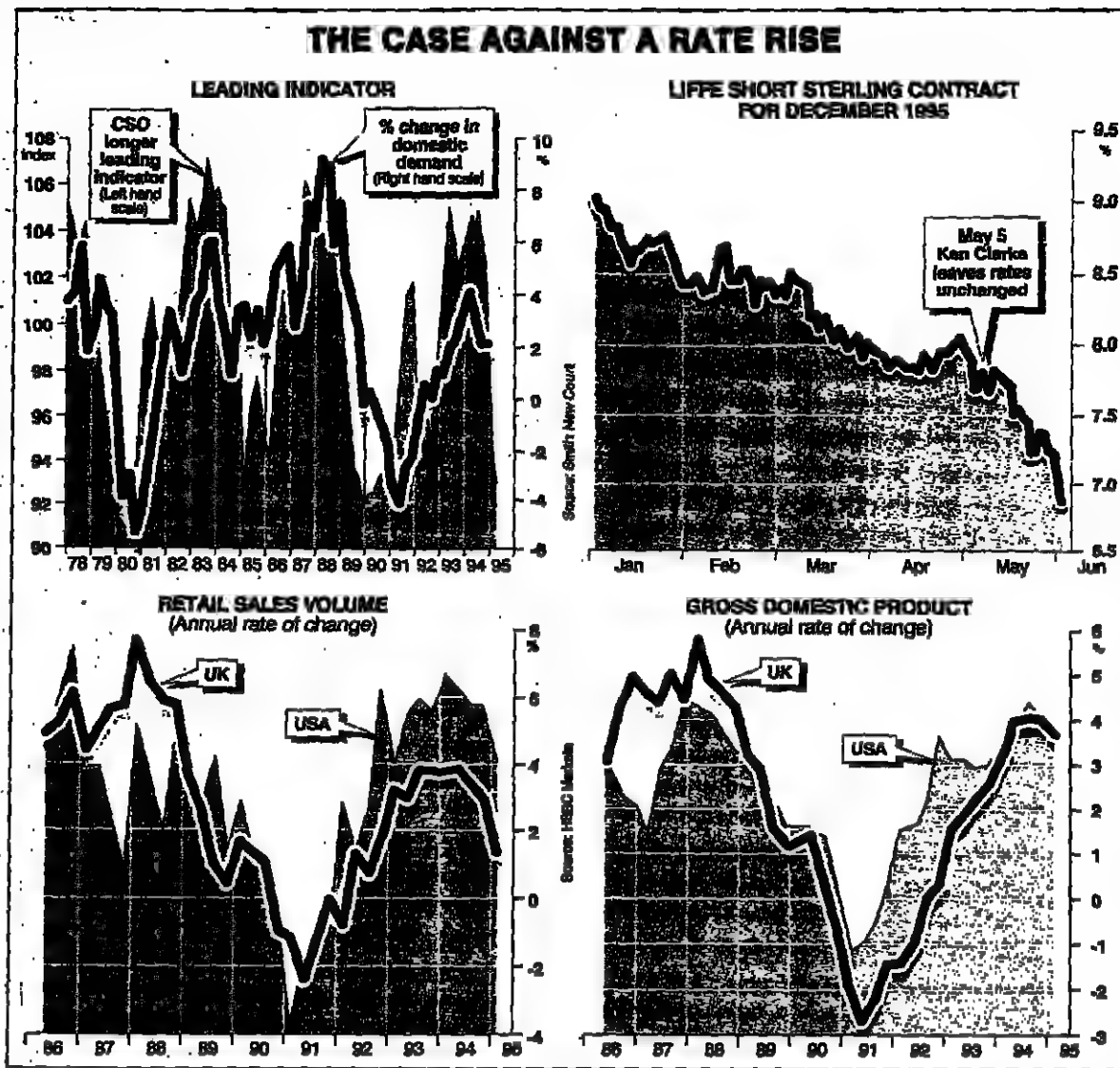
In order not to stand accused of monetary overkill when domestic demand is so clearly battered down, he could raise rates by only a quarter of a point, leaving them at a neatly rounded 6 per cent. Such a small monetary tightening would do little damage to the economy but, by moving in only a small step, Mr Clarke would be signalling that the top of the base rate cycle has either been reached or is at least very near. If the markets interpreted him this way, gilt yields could drop further and help balance the impact of higher base rates.

A small rate rise would also answer the Bank of England's nagging doubts about inflationary pressures and provide insurance against the risk that price pressures do worsen over the next year or so, and that the Treasury may have to raise rates by a greater amount at a later date.

Michael Saunders, economist at Selousp Brothers, points out that a rate rise would prevent the question of a split between the Chancellor and Governor resurfacing at the annual Mansion House dinner next Wednesday and again on June 21 when the minutes of the May monetary meeting are published.

This thinking seems eminently reasonable — but there are significant counter arguments, not least in the area of credibility.

A base rate increase now would beg significant questions about the judgment behind the May decision, widely condemned as politically inspired. If Mr Clarke were to raise rates tomorrow, the markets could convincingly argue that the Chancellor had indeed deferred a monetary tightening



because of the dreadful Conservative showing in the recent local elections.

It is also highly debatable whether Mr Clarke lost credibility last time round by not tightening. If anything, the economic statistics have proved the Chancellor right and it is the Bank of England that needs to rebuild its reputation with the markets.

Far from punishing the Chancellor for leaving rates unchanged in May, sterling money markets and gilts have rallied dramatically. This is, of course, partly because of the excellent run in the US Treasury bond market on the back of statistics showing that the US recovery is slowing sharply.

But there is no doubt that the markets' swift acceptance of the Chancellor's view last month and downgraded their expectations for interest rates. The accompanying chart shows how the futures markets, which in January were looking for rates of 9 per cent come the end of this year, are now pricing in rates of only 6.85 per cent.

The fall in gilt yields over the past month is even more significant because it implies directly on the Bank's view of inflation expectations, one of the indicators it is particularly fond of citing in its *Inflation Report*. The Bank mechanistically measures the market view of future inflation by gilt yields.

Even if gilt yields were to fall for purely international reasons, the Bank would still view this as an improvement in inflation expectations. On that score, whatever sterling and the monthly clutch of statistics are doing, the case for higher base rates weakens.

Almost all the economic releases since the May meeting have gone against the Bank and, on economic grounds, a rate rise would be hard to justify. First-quarter GDP, against most expectations, was revised downwards; retail sales fell for the second month running; house prices fell again according to both the Nationwide and the Halifax; mortgage lending by both banks and building societies weakened; unemployment fell again but the decline was much smaller than seen in earlier months in the recovery; purchasing managers reported the lowest index of economic activity since December 1993; leading indicators are pointing to a considerable slowdown.

On the inflation front, too, there has been some warning of the price pressures which were evident in industry. Purchasing managers and the Confederation of British Industry suggested that upward pressure on prices, though still marked, has tailed off somewhat. Sterling has continued to sag along with the dollar but appears

to have stabilised modestly above its low. Money supply indicators, including yesterday's M0, remain benign.

As if all this were not strong enough ammunition against a rate rise, the international economic scene provides an even more convincing warning shot. The damage wrought by strong currencies on the German and Japanese economies is becoming more obvious by the day and it is likely that German rates will be cut. Easier money is on the cards in America as well. Last Friday's weak US non-farm payroll figures confirmed that the US economy is slowing rapidly from the pace of growth last year.

This is relevant to British policy in two respects. First, slowing growth in the world's three major economies has potentially huge knock-on effects, particularly for a British recovery which has been powered by exports. Secondly, the relatively swift and marked response of the US economy to successive rises in interest rates may well be mirrored in Britain.

As Don Smith, of HSBC Markets, points out, the correlation of gross domestic product growth, consumer spending and retail sales between the two countries is striking. Both countries are saddled with historically high levels of debt and are therefore likely to be similarly sensitive to rises in interest rates. A genuinely credible analysis tomorrow would take heed of the message from across the Atlantic.

And if the Chancellor really wanted to surprise the economists, he could always cut the base rate.

A credible analysis would take heed of the message from across the Atlantic

## Getting best practice down to a fine art

Philip Bassett on the latest attempt to reshape corporate governance

W hen a pig called Cedric stars at British Gas's annual meeting, launching a new blueprint on how companies should be governed and shaped in the future might look a risky move. But as the row over executive pay rages on, that is exactly what the Royal Society of Arts will do today in the final report of its two-year study on *Tomorrow's Company*.

What has the way companies organise themselves to do with the RSA? The full title of the society, founded in 1754, gives a clue: the Royal Society for the Encouragement of Arts, Manufactures and Commerce. So does the blue-chip support for the inquiry — such as IBM, Guinness, NatWest, Thorn EMI, and Cable & Wireless. Even British Gas.

Today's report will not skirt the difficult issue of executive pay. Indeed, the inquiry's chairman, Sir Anthony Cleaver, former chairman of IBM UK, will open his introductory statement

with the RSA leaders accept that the row over pay has damaged the standing of corporate Britain, and that this is now the back-ground against which its findings will be judged. They are braced, too, for criticism of a study that started, and ends, with questions rather than answers. Instead of hard, Cadbury-style recommendations on board structures, it suggests that individual companies need to tailor their own responses to new competitive circumstances.

In spite of that, society leaders are passionate about their model of what they call the "inclusive" company — a pluralist approach to company function and operation, based on the idea of a stakeholder framework that runs wider than the dominance of shareholders. Mark Goyder, the inquiry's programme director, says: "We are offering people a framework within which to answer their specific questions — but we have deliberately not just written a corporate shopping list."

The society does not underestimate the difficulties involved in presenting a model of tomorrow's company — one that is clear about its purpose and recog-

nises the value of shareholders, customers and employees as stakeholders, as against yesterday's company, which takes its purpose for granted and is wholly devoted to pleasing and appeasing shareholders. It sees four major problems for companies: adversarial rather than co-operative relationships with employees, suppliers and customers; over-dependence on financial and short-term measures of performance; ignorance and complacency about the strength of the competition and a misunderstanding of company law, which leads directors to believe that shareholders are the only group to whom they have responsibilities.

Even favourable critics, such as the soft-left Labour Co-ordinating Committee, which broadly supports the RSA inquiry, accuse it of being "in part contradictory and superficial". While the executive pay row may make the society's recommendations more difficult to accept, other trends are in its favour. Among them is the raising of the issue of UK company competitiveness by two government White Papers from Michael Heseltine, President of the Board of Trade. But the real problem for moves such as the RSA's lies in what Mr Heseltine calls the "long tail" of poorly performing firms in Britain. Today's report will say that most UK companies are still failing to respond to the "profound" economic and social changes they face.

In the most tangible expression of immediate improvement — training — most British companies do not and will not improve. If they will not take such basic steps, what chance do the society's proposals have? The models for stakeholder companies are there. If companies want to be like Marks & Spencer, or Sony, for instance, they already can be — or can try to be.

Most won't because most don't sense the need. But moves like today's report are vital for British industry's competitive future, even though their impact is difficult to gauge. Their proponents believe that the goal is so important that companies must at least try.

The report will not skirt the issue of executive pay

### Workers assessing British Aerospace managers' pay

From Mr Robert Sims.

Sir, Your article on managers' assessment by shopfloor workers at BAE, (Workers have say on BAE managers' pay, May 23) raises the hope among Rover owners, like myself, that one day we shall see some justice handed out to Dick Evans.

Certain distinguished consultants — who used to insist that visiting clients left their nasty little Kraus wagons around the corner — and who, at the slightest provocation, would deliver lengthy and fearsome lectures on the damage to our people and economy of such a tasteless and

selfish expenditure on foreign imports — would hardly be satisfied with a reduction in his undeserved salary to zero!

Needless to relate, on the day the betrayal of Rover by the treacherous Taffy was announced, the telephone of that same consultant hardly stopped ringing as gleeful BMW owners enquired after the health of his "German car".

A matter of particular bitterness, is that while the sensible small investors took a long-term view of the only profitable car manufacturer in the world (and almost to a man) opposed the sale — the "insti-

tutions" (the same bunch of spivs who have been selling us worthless pensions and other "financial services") voted for the "quick buck" (and to hell with everything else).

They have not been forgotten. Nor will they be! Our ability to punish those who betray us is profound, complex and can be very determined. Anyone who doubts it — should ask the Tory Party! Yours faithfully, ROBERT SIMS, Bob Sims (Computer Services), 36 Woodpond Avenue, Hockley, Essex.

### Effective vetting

From Mr Rex Nicholson

Sir, I refer to the report in *The Times* (May 25) titled "Call to relax data laws". It is stated that Detective Inspector Salmarsch advocates that data protection laws should be relaxed to allow companies to vet job applicants against national records.

Whilst not a substitute for direct vetting facilities, as apparently advocated by Mr Salmarsch, it may be of interest to note that currently several companies make use of the subject access provisions of the Data Protection Act 1984 to "vet" prospective employees.

Under these provisions, individuals have the right, subject to limited exemptions, to a copy of any data being held about them.

Where a person makes an appropriate request access may be gained to police records including conviction information.

The company simply asks a prospective employee to apply to the police for information under section 21 of the Data Protection Act and for the employee to subsequently provide the company with the police reply.

Whilst the procedure described is perfectly legal, it can be argued that it is not within the spirit of the present data protection legislation. However, it has been adopted by many companies and, provided it is operated properly, can be effective in preventing individuals with current criminal records from being recruited.

Yours faithfully, REX NICHOLSON (Ex-data protection officer, National Identification Bureau — retired), 10 Silverwood Close, Croydon, Surrey.

### Lloyd's £2.8bn settlement to names is far from a charitable payment

From Mero Tethy

Sir, May I please clarify why the £2.8 billion settlement offer has been made to Lloyd's names since the perception once again falls short of the reality.

Massive debts are outstanding at Lloyd's but not because names have not accepted their responsibilities. Names have already settled their true debts to Lloyd's, to cover the claims arising from natural catastrophes.

Much of the balance which remains unpaid has nothing to do with the risks which names agreed to underwrite.

It is attributable directly to Lloyd's and to its practitioners. This is the reason why at last they are making their contribution.

Lloyd's failed to anticipate and to prevent the LMX spiral and to execute its self-regulatory duties. Long-tail claims which were known to Lloyd's to be in the pipeline for more than a decade were deliberately not disclosed to external names who joined in the late 1980s.

Agents ignored names' instructions and gave false assurances. Costs and commissions were intensified by the proven greed, malpractices

and gross negligence of members and managing agents.

The £2.8 billion offer is merely a claw-back from the Lloyd's insiders. Lloyd's knows this. Names know it. It is not a charitable payment made to names as some newspapers have implied. To enable Lloyd's and the insiders to survive this is a small price to pay.

The facts are that Lloyd's has announced losses for the fifth year in succession: the cumulative losses now stand at more than £8 billion. Secondly, during the same period the chairman, chief executives and members and managing agents have continued to enjoy six-figure salaries, exotic holidays and their diet of oysters and champagne. Thirdly, many external names have been totally ruined, many still face potential ruin and too many have taken their own lives.

Yours etc, MERO TETHY, Brickle Farm, Belton-in-Rutland, Leicestershire.

### Awash with cheques from North West Water

From R. Banister

Sir, During the past two or three days (according to the blurb received) 2.9 million North West Water customers will have had a refund of £6.50. The North West is awash with these cheques, as my bank knows to its cost. In this computer age why

not a credit on each account, instead of the overheads involved in posting each one? Who knows, the credit might even have been £10. Yours faithfully, R. BANISTER, 12 Chaucer Avenue, Thornton-Cleveleys, Lancashire.

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# Emap casts acquisitive eye over radio station

BY MARTIN WALLER

EMAP, the acquisitive publisher, has expressed an interest in buying the latest takeover candidate in the radio industry, Newcastle-based Metro Radio, whose two biggest shareholders have put the company up for sale.

Chrysalis Group and Capital Radio, holders of 37.6 per cent between them, have appointed merchant bankers to handle the sale of their shares. Emap, although best known for its magazine and newspaper publishing, is the second-biggest radio group by audience in Britain. Under the Government's proposals for media ownership, announced a fortnight ago, Emap can expect to grow further.

Robin Miller, chief executive, said yesterday: "The fact that we're in radio and Metro has come up means that we must be interested." David Grigson, finance director, said Metro's northeast network would complement Emap's Leeds-based radio interests. But Mr Miller said there was some doubt, even under the new points system being suggested by the Government, whether Emap could buy all of Metro. There were also "other issues", such as price, to be resolved. Metro shares added 1p to 478p yesterday, at which price the company is worth some £82 million.

Emap was announcing figures for a financial year that was, even by its standards, long on acquisitions. It spent a

total of £265 million, the three biggest deals being the purchase of 38 French magazine titles, outstanding shares in Trans World Communications, the radio group, and the business-to-business activities of Maclean, Hunter. Mr Miller said the current year would probably be less intensive on the expansion front. For the year to April 1, Emap pushed pre-tax profits ahead from £45.7 million to £63.9 million, including a £4.8 million contribution after allowing for financing costs from acquisitions.

The group is paying a 7.25p final dividend, making a total of 9.75p, up by 14 per cent from 8.52p last time and paid out of earnings per share 34 per cent higher at 22.2p.

The year featured strong underlying revenue and profit growth, of 9 and 19 per cent respectively from existing operations. But Mr Miller gave a "slightly cautious" warning that the overall rate of revenue growth would be slower in the current year amid signs that the economy was slowing.

Meanwhile, further price rises expected would mean paper would represent 15 per cent of the group's total operating costs in the current year, compared with 12 per cent last year. Against this, Emap would have a full contribution from the various acquisitions that had been made.

Temps, page 28



Interested but not committed: Emap's Robin Miller, pictured relaxing at the Kiss FM studios in north London, is considering buying Metro Radio

## Faber Prest looks to US for expansion

BY NEAL BIRNIE

FABER PREST, the slag recycling and steel distribution group, is searching for an acquisition or joint venture in the United States to complete the worldwide spread of its slag processing operations.

The group also announced a 36 per cent rise in pre-tax profits before exceptional items to £3.22 million in

the half year to March 31. Faber is boosting its interim dividend 9 per cent to 6p, payable on July 21.

Roger Feaviour, chief executive, said that the group wanted to develop its main slag recycling business in three regions — Europe, the Pacific Rim and North America. Faber already runs 17 recycling plants in Britain, Eastern Europe, Australia and Singapore, but it has yet to break

into the American market. The group recycles slag into iron ore and road-building aggregates.

Mr Feaviour also said the group wants to sell its car distribution subsidiary which no longer fits with its steel businesses. The car business owns three dealerships in the Lake District and lost £26,000 in the half year. Faber wants to pull the business back into profit and sell it for more

than £1 million. As a prelude to a sale, the group has reduced its working capital by £1 million.

Faber's main industrial services division increased profits 44 per cent to £2.4 million as the group invested heavily in slag recycling plant. The distribution division increased profits 52 per cent to £1.2 million, due partly to acquisitions. The division is concentrating more on steel distribution.

## Radstone thrives after float

BY OUR CITY STAFF

RADSTONE Technology, the industrial and defence computer specialist that floated in February last year, has lifted pre-tax profits 57 per cent for the year to £2.27 million, helped by productivity improvements and the sale of high-value products.

The group said that it had completed the development of its military specification PowerPC and began shipping it in April. Sales of its newer military processors rose 35 per cent as its production lines came into full operation.

The group's overall turnover rose only 3.3 per cent, held back by the fall in the dollar.

Cash flow remained strong and the group turned around net debt of £981,000 to cash of £825,000 during the year.

The company is paying its first final dividend of 2.475p, making 3.3p for the year. This is 10 per cent higher than the nominal dividend published in the prospectus last year.

## Critchley profits hit peak

BY OUR CITY STAFF

CRITCHLEY Group, the electronic components maker, saw profits leap 46 per cent to a record £5.6 million during the year to March 31, after a strong performance from Idento, its recently acquired German subsidiary.

Idento, which makes cable identification products, saw strong demand owing to the industry-led recovery in Europe. The company is now selling HSI, Critchley's existing range of computerised cable markers and is extending its factory near Frankfurt to cope with buoyant demand.

Critchley's turnover rose 26 per cent to £36 million during the year. Diluted earnings per share rose 28 per cent to 27.1p. The group is paying a 6.25p final dividend on August 3, up 14 per cent, to make 9.25p. Simon Cooke, the chairman, said Critchley's balance sheet remains strong in spite of £4.5 million capital expenditure and the acquisition of Idento. Group borrowings have been kept to £931,000.

Critchley's main cable accessory division produced £3.9 million profits, 70 per cent of the total. The smaller electronic components division made £1.7 million. The proportion of sales in the UK fell from 62 per cent to 53 per cent.

The group said it hoped to continue acquiring companies with complementary products and develop overseas.

## Australia opts for rail sale

DANIEL RICHARDSON

AUSTRALIA is to allow private operators to run their own trains in a radical shake-up of the railway system.

Under the proposals, which mirror the planned privatisation of the railway network in the UK, a single pricing system will be introduced to enable private companies to compete directly for freight business with National Rail, the government-owned train operator. Management of the track, which runs coast to coast from Brisbane to Perth, will be put in the hands of a new national authority called Track Australia. The network is currently run by the six Australian states.

Laurie Brereton, the Transport Minister, said: "Let us not kid ourselves that domestic services like rail can remain a mish-mash of separate ownership."

The move to introduce competition to the railway network comes as the federal Government completes the final link in a \$429 million (£190 million) programme to standardise Australia's national rail network.

Several companies including TNT, the transport group, and Pasminco, the base metals miner, have already expressed an interest in running their own trains, which would probably be leased from the state rail authorities.

## My Kinda Town heads for China

BY SARAH BAGNALL

HANK is always travelling and now he is on his way to China. My Kinda Town, the American theme restaurant group, plans to open two Henry J. Bean's (But His Friends All Call Him Hank) Bars & Grills in China by early next year.

The peripatetic Hank's last trip abroad was to Beirut, where Lebanese youngsters queue for hours to buy into the 1980s American dream. Peter Webber, managing director, said: "We are doing fantastic business. We opened three months ago and are taking about \$15,000 to \$20,000 a day. They said the Lebanese boys and girls would not queue but we have had people waiting two hours."

The first Chinese eating house, due to open by Christmas, is at the China World Centre in Peking while the second is in Shenzhen, on the border with Hong Kong. Both will be operated under franchise by the Shangri-La Group, the hotel company.

Mr Webber said: "If you can do it in Lebanon you can do it in China. First they buy the Levis, then the Ray Bans. Then they think 'What else is cool?'"

The company is eyeing several other locations such as Malaysia, Singapore, Hong Kong and Istanbul. "Hank is an international bon vivant, whose philosophy is to drink cold beer and eat cheeseburgers. He's off to China now but he could be in many more countries." My Kinda Town already operates in the UK, France, Germany, Belgium, Spain, Cyprus, Malta, Andorra and Argentina.

The company, founded in 1977 by Bob Payton, who died in a car crash last year, floated last May at 10p a share. Yesterday the shares were unchanged at 10p. My Kinda Town also owns the Chicago Pizza Pie Factory and the Chicago Rib Shack.

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## Pressure builds up for Tunnel blight redress

By BRIAN COLLETT

THE campaign to gain realistic compensation for small businesses that suffer through planning blight, compulsory purchase and public utility works is building up steam as the Channel Tunnel rail link looms.

A high-profile pressure group has formally asked the Government to pay adequate sums for the blight suffered by hundreds of Kent traders through the link plan.

Peter Smith, chairman of the Kent region of the Federation of Small Businesses, said: "We want them to consider planning or pre-planning blight. Businesses here want to expand or sell and they cannot do so."

Mr Smith is also worried that the compensation offered for rail noise is on the understanding that trains will not exceed 180 kilometres an hour, about 112mph. However, the track is designed for travel at 300 kilometres an hour, the speed reached by trains on the French side.

At the same time the federation nationally is asking for the Gas Bill to include compensation for businesses that lose trade when British Gas digs up pavements and roads and detours customers. "My members are up in arms," said Stephen Alambritis, the federation's spokesman.

Members' complaints extend to disruption by all public utilities, and the federation is therefore considering trying to get legislation

under a Private Member's Bill to make compensation automatic. The federation is joined by the Consumers' Association in demanding redress for business losses. "The system that people are adequately compensated," says the association's Which? magazine, commenting on severe losses at a joinery business in Harrow, north-west London.

The borough council bought the building to make way for a flyover and was to provide new premises in June 1993. The owners are still waiting, and estimate their business losses at £451,000. They have received only £43,000 and have taken their case to the Lands Tribunal.



"Getting to be an OAP would be a fine thing."

## Wild about garden design

By FRANK LEDUC

If one phrase sums up Acres Wild, a landscape and garden design business, it is quality of life. Debbie Roberts and Ian Smith believe their business adds to their clients' quality of life. And it was in pursuit of the same aim for themselves that they settled for designing gardens instead of landscaping superstores and motorways.

They put down the roots of the business in Billingshurst, West Sussex, in 1988, financed initially by student overdrafts, having graduated from Leeds Polytechnic where they met while studying landscape architecture. Mr Smith said: "People would say 'you can come and design my garden' and we took them up on it."

The Enterprise Allowance Scheme provided them with £40 a week each for a year. A bursary and loan followed, each of £1,000, from the Prince's Youth Business Trust. The pair used the money to buy a van, have some stationery printed and advertise. Then came a large contract to redesign the grounds of an insurance company office in Worthing.

Awards followed, which at any other time would probably have fuelled demand. But the recession threatened to choke the business. The pair diversified. Miss Roberts said: "We got involved with teaching, and Ian did some illustration work. Now we have got a few more strings to our bow, although 85 per cent of what we do is garden design



Ian Smith and Debbie Roberts use their skills to turn exterior space into the equivalent of an extra room

work." They are happiest at their drawing boards, or planting on-site as a job reaches completion. Most of their work involves the gardens and grounds of private homes, ranging from small suburban semis to rather more grand detached houses.

The pair say the aim is to use design skill and technical knowledge to turn exterior space into the equivalent of an extra room. The design stage follows an initial

meeting with a client and a site survey.

Unlike some architects intent on making a statement through their work, Miss Roberts said Acres Wild designs tend to blend in with the natural environment. The design fee for an average job might range from £500 to £1,500 and would probably be 10-15 per cent of the total cost, depending on the size and complexity of the job. Miss Roberts said: "We can supply and

plant for less than the retail cost of buying the plants from a garden centre."

Hard landscaping is contracted out to landscape contractors, just as an architect's plans would be carried out by a builder. One of their most satisfying recent jobs was to improve the quality of life for old people in a council-run home, by designing a safe enclosed area.

Acres Wild is on 01403 785385

SMALL innovative businesses will benefit from an extension of the DTI's Spur scheme (Support for Products Under Research). For the next three years, funding for Spur, Spur-Plus and Smart (Small Firms' Merit Award for Research and Technology) will be £69 million. Started in 1991, Spur is open to businesses with up to 250 employees and an annual turnover not above £15 million. Through grants of 30 per cent of project costs — the maximum is £150,000 — Spur helps them to develop new products and processes. Smart is an annual competition for individuals, or businesses with up to 50 employees, needing to undertake feasibility studies into innovative technology. Spur-Plus is for rare projects with strategic significance for an industry sector. Grant rate is again 30 per cent of project costs; maximum grant is £450,000.

Contact Business Links, Government Offices for the Regions, The Welsh Office, The Scottish Office or the DTI. Tel: 0171-215 5000.

Midland Bank has cut the small business tariff for automated items from 50p to 35p. New businesses will be offered free 12-month banking and no transaction charges or management fees, even if overdrawn.

Only a fifth of technology businesses assessed by National Westminster Bank specialists had a three-year business plan. Two thirds planned for only one or two years, a study of the assessments by NatWest's technologies appraisal service found.

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NEW T2150CT/520MB	486DX4/75MHZ	8MB	2715	
T2450CT/320MB	486DX4/75MHZ	8MB	2250	
T2450CT/500MB	486DX4/75MHZ	8MB	2460	
T4600C/200MB	486SL/33MHZ	4MB	1895	
T4850CT/500MB	486DX4/75MHZ	8MB	2970	
T4900CT/810MB	PENTIUM/75MHZ	8MB	3395	
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- ◆ All marked models come with a free 3 year warranty.
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## Shares close at best for the day

**TRADING PERIOD:** Settlement takes place ten business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

High Low Company Price % CHG				High Low Company Price % CHG			
BANKS				DISTRIBUTORS			
421	415	410	405	421	415	410	405
405	400	395	390	405	400	395	390
390	385	380	375	390	385	380	375
375	370	365	360	375	370	365	360
360	355	350	345	360	355	350	345
345	340	335	330	345	340	335	330
330	325	320	315	330	325	320	315
315	310	305	300	315	310	305	300
300	295	290	285	300	295	290	285
285	280	275	270	285	280	275	270
270	265	260	255	270	265	260	255
255	250	245	240	255	250	245	240
240	235	230	225	240	235	230	225
225	220	215	210	225	220	215	210
210	205	200	195	210	205	200	195
195	190	185	180	195	190	185	180
180	175	170	165	180	175	170	165
165	160	155	150	165	160	155	150
150	145	140	135	150	145	140	135
135	130	125	120	135	130	125	120
120	115	110	105	120	115	110	105
105	100	95	90	105	100	95	90
90	85	80	75	90	85	80	75
75	70	65	60	75	70	65	60
60	55	50	45	60	55	50	45
45	40	35	30	45	40	35	30
30	25	20	15	30	25	20	15
15	10	5	0	15	10	5	0
0	-5	-10	-15	0	-5	-10	-15
-15	-20	-25	-30	-15	-20	-25	-30
-30	-35	-40	-45	-30	-35	-40	-45
-45	-50	-55	-60	-45	-50	-55	-60
-60	-65	-70	-75	-60	-65	-70	-75
-75	-80	-85	-90	-75	-80	-85	-90
-90	-95	-100	-105	-90	-95	-100	-105
-105	-110	-115	-120	-105	-110	-115	-120
-120	-125	-130	-135	-120	-125	-130	-135
-135	-140	-145	-150	-135	-140	-145	-150
-150	-155	-160	-165	-150	-155	-160	-165
-165	-170	-175	-180	-165	-170	-175	-180
-180	-185	-190	-195	-180	-185	-190	-195
-195	-200	-205	-210	-195	-200	-205	-210
-210	-215	-220	-225	-210	-215	-220	-225
-225	-230	-235	-240	-225	-230	-235	-240
-240	-245	-250	-255	-240	-245	-250	-255
-255	-260	-265	-270	-255	-260	-265	-270
-270	-275	-280	-285	-270	-275	-280	-285
-285	-290	-295	-300	-285	-290	-295	-300
-300	-305	-310	-315	-300	-305	-310	-315
-315	-320	-325	-330	-315	-320	-325	-330
-330	-335	-340	-345	-330	-335	-340	-345
-345	-350	-355	-360	-345	-350	-355	-360
-360	-365	-370	-375	-360	-365	-370	-375
-375	-380	-385	-390	-375	-380	-385	-390
-390	-395	-400	-405	-390	-395	-400	-405
-405	-410	-415	-420	-405	-410	-415	-420
-420	-425	-430	-435	-420	-425	-430	-435

High	Low	Company	Price	Chg.	Yr. % P/E
116	114	Lockhart (A)	175	+	29
116	114	Lockhart (B)	175	+	29
116	114	Lockhart (C)	175	+	29
116	114	Lockhart (D)	175	+	29
116	114	Lockhart (E)	175	+	29
116	114	Lockhart (F)	175	+	29
116	114	Lockhart (G)	175	+	29
116	114	Lockhart (H)	175	+	29
116	114	Lockhart (I)	175	+	29
116	114	Lockhart (J)	175	+	29
116	114	Lockhart (K)	175	+	29
116	114	Lockhart (L)	175	+	29
116	114	Lockhart (M)	175	+	29
116	114	Lockhart (N)	175	+	29
116	114	Lockhart (O)	175	+	29
116	114	Lockhart (P)	175	+	29
116	114	Lockhart (Q)	175	+	29
116	114	Lockhart (R)	175	+	29
116	114	Lockhart (S)	175	+	29
116	114	Lockhart (T)	175	+	29
116	114	Lockhart (U)	175	+	29
116	114	Lockhart (V)	175	+	29
116	114	Lockhart (W)	175	+	29
116	114	Lockhart (X)	175	+	29
116	114	Lockhart (Y)	175	+	29
116	114	Lockhart (Z)	175	+	29
116	114	Lockhart (AA)	175	+	29
116	114	Lockhart (AB)	175	+	29
116	114	Lockhart (AC)	175	+	29
116	114	Lockhart (AD)	175	+	29
116	114	Lockhart (AE)	175	+	29
116	114	Lockhart (AF)	175	+	29
116	114	Lockhart (AG)	175	+	29
116	114	Lockhart (AH)	175	+	29
116	114	Lockhart (AI)	175	+	29
116	114	Lockhart (AJ)	175	+	29
116	114	Lockhart (AK)	175	+	29
116	114	Lockhart (AL)	175	+	29
116	114	Lockhart (AM)	175	+	29
116	114	Lockhart (AN)	175	+	29
116	114	Lockhart (AO)	175	+	29
116	114	Lockhart (AP)	175	+	29
116	114	Lockhart (AQ)	175	+	29
116	114	Lockhart (AR)	175	+	29
116	114	Lockhart (AS)	175	+	29
116	114	Lockhart (AT)	175	+	29
116	114	Lockhart (AU)	175	+	29
116	114	Lockhart (AV)	175	+	29
116	114	Lockhart (AW)	175	+	29
116	114	Lockhart (AX)	175	+	29
116	114	Lockhart (AY)	175	+	29
116	114	Lockhart (AZ)	175	+	29
116	114	Lockhart (BA)	175	+	29
116	114	Lockhart (BB)	175	+	29
116	114	Lockhart (BC)	175	+	29
116	114	Lockhart (BD)	175	+	29
116	114	Lockhart (BE)	175	+	29
116	114	Lockhart (BF)	175	+	29
116	114	Lockhart (BG)	175	+	29
116	114	Lockhart (BH)	175	+	29
116	114	Lockhart (BI)	175	+	29
116	114	Lockhart (BJ)	175	+	29
116	114	Lockhart (BK)	175	+	29
116	114	Lockhart (BL)	175	+	29
116	114	Lockhart (BM)	175	+	29
116	114	Lockhart (BN)	175	+	29
116	114	Lockhart (BO)	175	+	29
116	114	Lockhart (BP)	175	+	29
116	114	Lockhart (BQ)	175	+	29
116	114	Lockhart (BR)	175	+	29
116	114	Lockhart (BS)	175	+	29
116	114	Lockhart (BT)	175	+	29
116	114	Lockhart (BU)	175	+	29
116	114	Lockhart (BV)	175	+	29
116	114	Lockhart (BW)	175	+	29
116	114	Lockhart (BX)	175	+	29
116	114	Lockhart (BY)	175	+	29
116	114	Lockhart (BZ)	175	+	29
116	114	Lockhart (CA)	175	+	29
116	114	Lockhart (CB)	175	+	29
116	114</				

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Company	Unit	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994	1993	1992	1991	1990	1989	1988	1987	1986	1985	1984	1983	1982	1981	1980	1979	1978	1977	1976	1975	1974	1973	1972	1971	1970	1969	1968	1967	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947	1946	1945	1944	1943	1942	1941	1940	1939	1938	1937	1936	1935	1934	1933	1932	1931	1930	1929	1928	1927	1926	1925	1924	1923	1922	1921	1920	1919	1918	1917	1916	1915	1914	1913	1912	1911	1910	1909	1908	1907	1906	1905	1904	1903	1902	1901	1900	1899	1898	1897	1896	1895	1894	1893	1892	1891	1890	1889	1888	1887	1886	1885	1884	1883	1882	1881	1880	1879	1878	1877	1876	1875	1874	1873	1872	1871	1870	1869	1868	1867	1866	1865	1864	1863	1862	1861	1860	1859	1858	1857	1856	1855	1854	1853	1852	1851	1850	1849	1848	1847	1846	1845	1844	1843	1842	1841	1840	1839	1838	1837	1836	1835	1834	1833	1832	1831	1830	1829	1828	1827	1826	1825	1824	1823	1822	1821	1820	1819	1818	1817	1816	1815	1814	1813	1812	1811	1810	1809	1808	1807	1806	1805	1804	1803	1802	1801	1800	1799	1798	1797	1796	1795	1794	1793	1792	1791	1790	1789	1788	1787	1786	1785	1784	1783	1782	1781	1780	1779	1778	1777	1776	1775	1774	1773	1772	1771	1770	1769	1768	1767	1766	1765	1764	1763	1762	1761	1760	1759	1758	1757	1756	1755	1754	1753	1752	1751	1750	1749	1748	1747	1746	1745	1744	1743	1742	1741	1740	1739	1738	1737	1736	1735	1734	1733	1732	1731	1730	1729	1728	1727	1726	1725	1724	1723	1722	1721	1720	1719	1718	1717	1716	1715	1714	1713	1712	1711	1710	1709	1708	1707	1706	1705	1704	1703	1702	1701	1700	1699	1698	1697	1696	1695	1694	1693	1692	1691	1690	1689	1688	1687	1686	1685	1684	1683	1682	1681	1680	1679	1678	1677	1676	1675	1674	1673	1672	1671	1670	1669	1668	1667	1666	1665	1664	1663	1662	1661	1660	1659	1658	1657	1656	1655	1654	1653	1652	1651	1650	1649	1648	1647	1646	1645	1644	1643	1642	1641	1640	1639	1638	1637	1636	1635	1634	1633	1632	1631	1630	1629	1628	1627	1626	1625	1624	1623	1622	1621	1620	1619	1618	1617	1616	1615	1614	1613	1612	1611	1610	1609	1608	1607	1606	1605	1604	1603	1602	1601	1600	1599	1598	1597	1596	1595	1594	1593	1592	1591	1590	1589	1588	1587	1586	1585	1584	1583	1582	1581	1580	1579	1578	1577	1576	1575	1574	1573	1572	1571	1570	1569	1568	1567	1566	1565	1564	1563	1562	1561	1560	1559	1558	1557	1556	1555	1554	15
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26.4	100%	100%	Each 10-14 1955	100%	-	10.19	6.27	105%	100%
19.6	100%	100%	Each 15-19 1955	100%	-	12.91	6.29	111%	111%
12.1	100%	100%	Each 20-24 1955	100%	-	13.39	6.30	128%	128%
22.4	100%	100%	Each 25-29 1955	100%	-	14.17	6.33	107%	107%
10.9	100%	100%	Each 30-34 1955	100%	+	12.51	6.43	100%	100%
14.3	100%	100%	Each 35-39 1955	100%	+	9.57	6.53	105%	105%
12.5	100%	100%	Each 40-44 1955	100%	+	7.07	6.76	110%	110%
10.2	100%	100%	Each 45-49 1955	100%	+	12.88	6.80	100%	100%
11.7	100%	100%	Each 50-54 1955	100%	+	9.16	7.08	111%	111%
10.9	100%	100%	Each 55-59 1955	100%	+	6.45	6.56	LOANS (C)	100%
10.2	100%	100%	Each 60-64 1955	100%	+	12.80	7.02	80%	80%
10.9	100%	100%	Each 65-69 1955	100%	+	9.16	7.08	100%	100%
10.2	100%	100%	Each 70-74 1955	100%	+	7.23	7.11	100%	100%
10.9	100%	100%	Each 75-79 1955	100%	+	6.83	7.15	100%	100%
10.2	100%	100%	Each 80-84 1955	100%	+	11.26	7.20	100%	100%
10.9	100%	100%	Each 85-89 1955	100%	+	12.49	7.14	100%	100%
10.2	100%	100%	Each 90-94 1955	100%	+	10.51	7.25	100%	100%
10.9	100%	100%	Each 95-99 1955	100%	+	8.86	7.37	100%	100%
10.2	100%	100%	Each 100-104 1955	100%	+	10.51	7.32	100%	100%
10.9	100%	100%	Each 105-109 1955	100%	+	9.48	7.21	UNDATED	100%
10.2	100%	100%	Each 110-114 1955	100%	+	8.00	7.33	100%	100%
10.9	100%	100%	Each 115-119 1955	100%	+	9.27	7.30	100%	100%
10.2	100%	100%	Each 120-124 1955	100%	+	9.27	7.30	100%	100%
10.9	100%	100%	Each 125-129 1955	100%	+	9.27	7.30	100%	100%
10.2	100%	100%	Each 130-134 1955	100%	+	9.27	7.30	100%	100%
10.9	100%	100%	Each 135-139 1955	100%	+	9.27	7.30	100%	100%
10.2	100%	100%	Each 140-144 1955	100%	+	9.27	7.30	100%	100%
10.9	100%	100%	Each 145-149 1955	100%	+	9.27	7.30	100%	100%
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10.9	100%	100%	Each 165-169 1955	100%	+	9.27	7.30	100%	100%
10.2	100%	100%	Each 170-174 1955	100%	+	9.27	7.30	100%	100%
10.9	100%	100%	Each 175-179 1955	100%	+	9.27	7.30	100%	100%
10.2	100%	100%	Each 180-184 1955	100%	+	9.27	7.30	100%	100%
10.9	100%	100%	Each 185-189 1955	100%	+	9.27	7.30	100%	100%
10.2	100%	100%	Each 190-194 1955	100%	+	9.			

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Stock	Price	% <sup>1</sup>	High	Low	Vol	Open	Close
1000 Pk 2005	105 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2006	111 <sup>1</sup> / <sub>4</sub>	+ 1/4	8.40	8.00	110	8.30	8.10
1000 Pk 2007	111 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.71	7.79	110	8.60	8.40
1000 Pk 2008	95 <sup>3</sup> / <sub>4</sub>	+ 3/4	7.76	7.76	100	7.76	7.76
1000 Pk 2009	100 <sup>1</sup> / <sub>2</sub>	+ 1/2	7.76	7.76	100	7.76	7.76
1000 Pk 2010-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2011-07	105 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2012-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2013-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2014-07	105 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2015-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2016-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2017-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2018-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2019-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2020-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2021-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2022-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2023-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2024-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2025-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2026-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2027-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2028-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2029-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2030-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2031-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2032-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2033-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2034-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2035-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2036-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2037-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2038-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2039-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2040-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2041-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2042-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2043-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2044-07	101 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.04	7.76	100	8.00	7.80
1000 Pk 2045-07	110 <sup>1</sup> / <sub>2</sub>	+ 1/2	8.29	7.78	100	8.20	8.00
1000 Pk 2046-07							

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129	179	Gunnarson Uls	15	2	1
130	180	Polar (Green)	153	2	19 136
131	181	East River	500	2	19
161	182	East Bay	500	2	19
111	183	East Bay	272	2	23 239
114	184	East Bay	272	2	23 282
114	185	East Bay	272	2	23 282
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114	187	East Bay	272	2	23 282
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114	256</				







# LAW

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● TOMORROW'S WORLD 38

## No win, no fee, no clarity

**Judge Michael Cook considers whether there is a place for conditional fees in the British legal system**

Since the Statute of Westminster in 1275, it has been inculcated into generations of English lawyers as a tenet of professional ethics that contingency fees are not merely unlawful but, in the words of some judges, "inherently immoral", "deeply corrupting" and "definitely sinister".

They are the scarlet women of the law. They might make suitable consorts for brash American lawyers, but no respectable, clean-living English barrister or solicitor should associate with them, let alone embrace them.

And yet, a Scottish Presbyterian Lord Chancellor is inviting English lawyers to get into bed, even cohabit, with this method of funding litigation.

What has happened? Is it that contingency fees are not as bad as they have been painted over the centuries? Has there been a case of mistaken identity? Have our moral values changed — or is it simply to keep the public purse strings so tight that the Treasury can view with equanimity the prospect of lawyers living off immoral earnings?

In July 1989 the Government produced a White Paper, *Legal Services: A Framework for the Future*, in which it proposed conditional fees as a way of widening access to legal services. The White Paper, commenting on responses to its previous Green Paper proposals, said: "There was a clear consensus that it would not be right in principle, and would be likely to have a number of undesirable side-effects, for a lawyer to be permitted to undertake a case in return for some percentage of whatever damages might be received."

That form of contingency fee was also thought likely to create an unacceptable degree of conflict of interest between the lawyer and his client, which could result in his being unable to give the client or the court advice of the required degree of impartiality.

Unfortunately, the system of conditional fees, which will come in shortly, differs neither in principle nor practice from the contingency fees which the White Paper rejected.

On a contingency basis the successful lawyer receives a percentage of the damages; under the scheme being introduced he receives his normal fee plus a percentage uplift, or "success fee" which, of course, also comes out of the damages. It is a distinction without a



Judge Michael Cook says the contingency fees scheme will mean "victorious Peter is robbed to pay for vanquished Paul"

difference. In one respect conditional fees are the more objectionable because costs could exceed the damages recovered, while a contingency fee is a percentage, and therefore always less than the damages.

The scheme is based on unsuccessful litigants being subsidised out of the damages awarded to successful litigants. Victorious Peter is robbed to pay for vanquished Paul. Whether it will also be a bonanza for the legal professional depends on the amount of the success fee to be allowed. The Lord Chancellor originally proposed a maximum uplift

There has been a justifiable outcry and consternation that such an increase could swallow up all or most of an award. "My lawyer ate my damages" is the sort of headline that comes to mind.

The past six years have been spent by the Government and the Law Society trying (with-out success) to devise adequate safeguards and ways of capping the amount of damages that can be swallowed in fees. The soundbite "No win — no fee" has proved to be particularly misleading. It should be "No recovery — no fee".

It is also proposed that there

some requirement about the situation that should obtain with regard to the net amount that the client could expect to recover as a measure of success in terms of the agreement. In fact, the Law Society's conditions define a "win" simply as "the case being decided in your favour", so any judgment or settlement for any amount will trigger the solicitor's entitlement to his full costs plus success fee.

As things stand, arrangements are likely to provide fertile ground for disputes between lawyers and clients. As there is no provision for conditional fee agreements to be approved by the court before they are entered into, every successful client will be free at the end of the litigation to challenge both the hourly rate and success fee on the grounds that they were unreasonable and that the success fee was disproportionate to the risk. The solicitor will have the burden of justifying his charges.

The pity of it is that a simple piece of legislation declaring that it is not unlawful for lawyers to agree not to charge a client unless litigation achieves a particular result is all that is required. That is the position in respect of non-contentious business. "No sale — no fee" in conveyancing and "no success — no fee" in management buyouts and acquisitions, for example, are not regarded as contrary to public policy — so why should we be offended by a similar

### Is the Treasury content with the prospect of lawyers living off immoral earnings?

of 10 per cent, but the Law Society argued that this would require solicitors to win ten out of 11 cases merely to break even.

When an increase to 20 per cent — reducing the odds for breaking even to five wins out of six — still did not satisfy the Law Society, the Lord Chancellor weighed in with a massive 100 per cent uplift. The Law Society welcomed the proposal and revealed that 92 per cent of personal injury claims, to which conditional fees are to apply, succeed. A 100 per cent uplift had been secured for an 8 per cent risk.

should be a cap on the success fee of 25 per cent of the damages awarded, but this will not guarantee the client at least 75 per cent of his damages because, in addition to the success fee, he will be liable to pay the solicitor's normal costs — often substantially more than those recoverable from the other party.

And what is a "win"? The Lord Chancellor suggested that it would be wise for lawyers and clients to discuss at the outset the likely proceeds from the enterprise and that "it might be possible to meet the point by putting in

## Lies, damn lies and your client's story

How can you defend someone who is guilty? Lawyers become accustomed to this question on social occasions. The answer, that it is for the judge or jury to decide, and for the advocate simply to present the client's case, does not satisfy all as an adequate reconciliation of the lawyer's duty both to client and to society.

The new novel by Alan M. Dershowitz, *The Advocate's Devil* (Headline, £16.99), addresses the difficult dividing line between the morality and the mendacity of defence advocacy. Dershowitz is a professor at Harvard Law School and a prominent American defence attorney. His clients have included Mike Tyson, for the boxer's unsuccessful appeal against his conviction for rape, and Claus von Bulow, in his successful appeal and acquittal on retrial of the charge of attempted murder of his wife. The latter case led to Dershowitz's book, *Reversal of Fortune*, and the film of the same name. Currently Dershowitz is a member of O.J. Simpson's Olympic-size pool of lawyers.

*The Advocate's Devil* concerns the professional and personal life of Abe Ringel, a Boston criminal lawyer and a thinly-disguised version of Dershowitz, or at least what he considers to be his more attractive features ("Someday he'd like to figure out why it was that his reputation as a raconteur, and his speaking tours around the globe had not prepared him ever to win an argument with his daughter").

Ringel is representing a professional basketball star, Joe Campbell, who is accused of raping a female admirer. Ringel comes into possession of information which suggests his client is guilty, or at least lying to his lawyers about aspects of his character and activities. The lawyer wrestles with the moral dilemmas: can he represent Campbell, and if so to what extent? He debates the issues with his feminist daughter, his lover (who learnt her skills as an investigator working for the Israeli secret service) and his dying mentor (who speaks only by way of Talmudic references). Academic issues of principle eventually give way to practical considerations which dictate to Abe Ringel what any rational human being must do.

Dershowitz's book lacks the pace and tension of a John Grisham novel. It is, at times, little more than a well-constructed, law-school hypothetical study enabling the charac-

ters to make speeches about the ambiguous obligations imposed by Bar regulations. But Dershowitz is such an intelligent and provocative commentator on legal manners and mores that his distinctive voice can be heard, even above the creaking sound of his wooden characters moving through the chapters.

What interests Dershowitz is the effect of the 1986 decision of the United States Supreme Court in *Nix v Whiteside*. The court held that a lawyer has a duty not to assist a client to give perjured evidence. A defence lawyer is therefore entitled, and obliged, to warn a client who is contemplating telling lies to the court that the lawyer will so inform the judge and withdraw from the trial. The Supreme Court, unsurprisingly, decided that the actions of Mr Whiteside's lawyer in refusing to assist him to commit perjury had not deprived his client of his constitutional rights to effective counsel. Dershowitz understands that this principle is much harder to apply where the lawyer does not know that a client is going to lie, but has good reason so to suspect because of the implausibility of the client's account.

Does counsel have a duty to investigate the truth of a client's version of events? Does a lawyer have a duty, or even the right, to warn potential future victims of the continuing danger the client may represent? If the lawyer does know his client plans to lie in court, are the duties of defence counsel fulfilled (as Dershowitz/Ringel unconvincingly suggests) merely by ensuring that the perjured evidence does not result from the client's answers during examination in chief, counsel having no responsibility for what the client says when cross-examined by the prosecution?

The legal world of Abe Ringel is very different from the professional life of defence counsel practising at St Albans Crown Court. He or she rarely takes the advice of PR and image consultants, or decides trial strategy with the aid of a shadow jury, or has conferences interrupted by secretaries announcing "it's CNN on the phone for you". Nor is the judge likely to be a former nun who refuses to wear judicial robes because it reminds her of her past. Still, fundamental questions of legal ethics retain their importance and fascination in whatever legal system they arise.

The author is a practising barrister, and a Fellow of All Souls College, Oxford



COUNSEL

DAVID PANNICK QC

## A nice big earner

HEADHUNTERS are already searching for the next Treasury Solicitor to oversee the 1,100-strong Government legal service when Sir Gerald Hosker, QC, retires this October. The post has been advertised, but senior lawyers are also being asked to suggest candidates. Civil Service salaries are increasingly being made attractive to private-sector candidates: under new performance-related pay mechanisms the basic pay can be improved by 50 per cent.

The new appointment coincides with the Treasury Solicitor's Department becoming a "Next Steps" agency next April. The department, with its £50 million budget, has 540 staff who give legal advice to all government departments.

Sir Gerald said: "I now have to have three months in purdah, under the Nolan recommendations. After that I don't know. I shall be 62, so it's unlikely I shall work in the

Civil Service. I am happy to look at any proposals."

### One of the best

SIR Nicholas Phillips, the judge in the Maxwell brothers' trial, described by one solicitor as a "Rolls-Royce



Phillips: "Rolls-Royce judge"

judge", is another of the growing band of cyclist judges.

He arrives at the court, crash helmet in hand, from his Hampstead home in north-west London. Fellow judges who cycle include Lords Scott and Hoffmann.

Lawyers praise his razor-sharp intellect. In a recent survey by *Legal Business* magazine of the "worst and the best" on the High Court bench, Mr Justice Phillips was one of three topping the popularity stakes.

Aged 57, he went to Bryanston School (where he is now a governor) and Cambridge. He did National Service and then became a member of the Royal Navy Volunteer Reserve for two years. After being called to the Bar in 1962, he built up a practice in shipping and Admiralty law, later extending it to commercial work.

### Banking on it

SOLICITORS will find it cheaper to attend their annual shindig this October in Birmingham, thanks to a £60,000 sponsorship from the Royal Bank of Scotland. The sponsorship, the first on such a scale, has cut the cost of tickets from £200 to £160 for the two-day event.

The bank has been long-time sponsors of the Law Society of Scotland, which announced a new president this week, Alan Boyd, the first lawyer from the public sector.

### Scottish gathering

MEANWHILE, more than 500 lawyers from more than 50 countries are expected in Edinburgh on June 10 for the International Bar Association's general practice conference. Lord Woolf, Lord McCloskey, Senator of the College of Justice, Supreme Courts of Scotland, and Sir Philip Otton, Court of Appeal judge, are among those attending.

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**CITY**  
Due to expansion this leading City firm has a requirement for a 3 year qualified litigation solicitor with a solid insurance background to join busy department and handle a variety of reinsurance work. Strong academic and experience essential. Ref: 10294.

**CITY**  
Expanding medium-sized firm requires additional solicitor to join their busy commercial department. Candidates should be ambitious, possess good academic and have 0 to 2 years experience with a respected firm. May suit those wishing to move away from a purely "Corporate" role. Ref: 10282.

**HOLBORN**  
Small commercial practice with exciting caseload seeks an assistant to undertake variety of general commercial litigation work. Ideal candidates will have 2 to 5 years PQE, proven ability and a hardworking and dedicated approach. Excellent opportunity. Ref: 10282.

**CITY**  
Dynamic solicitor sought for the capital markets team of this leading city firm. Work will include international securities, swaps and derivatives. Candidates should have 2 to 4 years experience with good academic and the ability to take initiative. Ref: 10295.

**IP**  
International practice with noted IP department requires a solicitor with at least 2 years PQE to assist with a predominantly caseload based on patent and trademark work. The successful candidate will be considered as a potential partner hence business acumen is a pre-requisite. Ref: 10226.

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Due to expansion this leading City firm has a requirement for a 3 year qualified litigation solicitor with a solid insurance background to join busy department and handle a variety of reinsurance work. Strong academic and experience essential. Ref: 10294.

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Expanding medium-sized firm requires additional solicitor to join their busy commercial department. Candidates should be ambitious, possess good academic and have 0 to 2 years experience with a respected firm. May suit those wishing to move away from a purely "Corporate" role. Ref: 10282.

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Dynamic solicitor sought for the capital markets team of this leading city firm. Work will include international securities, swaps and derivatives. Candidates should have 2 to 4 years experience with good academic and the ability to take initiative. Ref: 10295.

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For a confidential discussion call Jonathan Macrae at ZMB who is exclusively retained to assist on this assignment on 0171-377 0510 (evenings/weekends 0171-226 1558) or write to him at Zarak Macrae Brenner, 37 Sun Street, London EC2M 2PY. Confidential Fax 0171-247 5174. E-mail jmac@zmb.co.uk

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## Suing the old firm

### Solicitors can take on cases against previous employers

Solicitors are now free to act in litigation against clients of their former law firms.

Larry Cohen, head of intellectual property at Hammond Suddards, recently won a High Court ruling against three companies which had tried to stop him acting for an opposing party in a large-scale piece of international litigation.

The decision, which sets new guidelines, has important implications — particularly in the City of London. Hammond Suddards, for example, has 12 partners in its London office who have joined from other City firms.

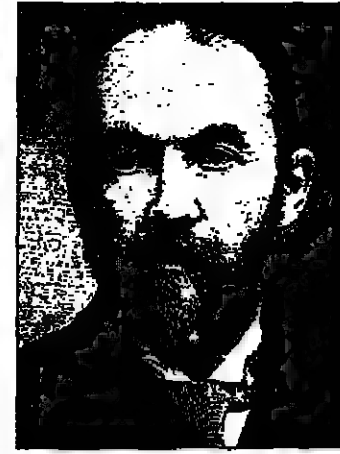
The ruling means that, unless there is clear evidence to the contrary, the court will give more weight to the evidence of the departing lawyer than he has no relevant confidential information.

The decision expressly rejects the test in the United States in favour of the English test. In America, a lawyer would be prevented from acting simply where there is the appearance of a risk of unfairness. The ruling could also have important implications for large international firms of accountants, particularly when dealing with mergers and demergers.

The case at the centre of the ruling — the most extensive and complex pieces of intellectual property litigation before the English High Court — is between two large international companies: Chiron and Murex, both involved in diagnostic medicine.

Murex appointed Hammond Suddards to handle the inquiry into damages in the UK in March this year. Chiron had sought to prevent Mr Cohen from acting for Murex on the ground that he might be in possession of confidential information because he had been a partner with its advisers, Bristows Cooke Carmichael, when the first action with Murex began. Mr Cohen was not involved in the proceedings at his former firm.

Mr Cohen has once again taken control of the case both in the UK and overseas. As well as handling an inquiry into claims for damages of £20 million, the firm has also been instructed to handle the European trade and competition issues of the litigation.



Left to right: D. H. Lawrence, James Joyce, Thomas Hardy and Edward Elgar. Their families will benefit from the new law

## Toad and Ratty in clover

Kenneth Grahame died in 1932. The Copyright Act of 1911, then in operation (and the 1956 and 1988 Acts that replaced it) protected his works only until the end of 1982. But next month his book *The Wind in the Willows* will have that protection restored to it.

So, too, will the works of James Joyce, with *Ulysses*; Thomas Hardy's *Tess of the D'Urbervilles*; D. H. Lawrence's *Lady Chatterley's Lover*; and Edward Elgar's *Cello Concerto*, plus a host of other works whose copyright expired in the last 20 years.

Not only will changes in copyright law give authors of works longer post-mortem protection, they will also restore protection to the works of authors, playwrights, composers and artists who died between 1925 and 1945.

There has been debate over the right length of time for copyright protection as long as there has been copyright law. Some argue there should be no protection. Why now should it be increased — and what are the reasons for the new law?

The length of protection has grown gradually since the first Copyright Act of 1709, which set it at 14 years. There is something unjust in bounding the term of an author's property by his natural life if he should survive for only a short period. It denies to age and experience the probable reward it permits to youth, and could encourage haste.

The present term was originally fixed to give protection for the lifetime of the creator of a copyright work and two succeeding generations — the minimum thought necessary to encourage creative endeavour. It was set at 50 years post mortem auctoris or PMA (the minimum stipulated by the Berne Convention) in the 1911 Act.

In 1988, when the most recent

*The Wind in the Willows* is one of the books that will come under new EU copyright protection, says Peter Groves

### THE RIVER BANK

The Mole had been working very hard all the morning, spring-cleaning his little home. First with brooms, then with dusters; then on ladders and steps and chairs, with a brush and a pail of whitewash; all he had done in his throat and eyes, and splashes of whitewash all over his black fur, and an aching back and weary arms. Spring was moving in the air above and in the earth below and around him, penetrating even his dark and lowly little



copyright legislation was passed, Parliament debated an increase to 70 years PMA, but the Government argued that, although the generations were now living longer, so too were authors, and no extension was needed. However, the European Union has ruled on 70 years PMA and this will come into effect on July 1.

This decision will eliminate the present differing lengths of protection in EU countries. For instance, certain recordings by Cliff Richard had ceased to be protected in Denmark (the term under Danish law for sound recordings being 25 years) but were still protected in Germany where the same law lasts 30 years.

Most EU countries give protection for 50 years post mortem auctoris. But the Berne Convention allows them to give more, and as in Germany the term is 70 years

PMA, this rather decided the issue of what the term should be.

Works that are still in copyright in any member state at the time the directive takes effect will get additional protection. That means that an author who died in 1945 and whose works, therefore, will fall out of copyright on December 31, 1995, will get an additional 20 years' protection. Works whose protection expired in member states after July 1, 1975, but which are still protected in Germany, will have their copyright revived.

Many people doubted that this revival of copyright could really be what the directive had intended. It stems from a 1993 decision of the European Court of Justice which involved a Phil Collins concert in the United States. The basic principle in the Berne Convention is equal

treatment between countries — that is, a British author, for instance, gets the same protection under German copyright law as a German author and vice versa.

The result could create massive difficulties for publishers. Royalties will become payable for books which were in the public domain, and which might have been produced in cheap editions. Books on the shelves in the shops are not affected, but the economics of producing cheap editions of some classics could change dramatically.

What will be the impact on living authors? Chambers Encyclopedia's critique of the 1842 Act suggests that it will make little difference. Living authors are unlikely to change their attitude to their work dramatically because of the increased term of protection, though they may feel some satisfaction from knowing that if their success outlives them by a sufficient margin their descendants will see the benefits.

The main beneficiaries will be those in the creative arts, the authors, artists and composers whose works have fallen into the public domain.

The Government in its draft regulations has come up with a solution that seems to protect the interests of those who exploit copyright material (publishers, who can use it for a reasonable royalty while recognising that the right to exchange royalties for the term of the revived copyright cannot encourage creativity). Kenneth Grahame is in no position to write a sequel to *The Wind in the Willows* — which is just as well, since William Horwood has since done the job for him.

● The author is a consultant at Stoneham Langton & Passmore and the author of several books on intellectual property and competition law.

## Customers and staff count, too

But directors' duties are to their companies, says Philip Goldenberg

Company directors are awaiting a report on what duties they have to shareholders and stakeholders. They have already had their accounting practices scrutinised by the Accounting Standards Board, which cleared up the excesses of 1980s UK company accounts too often designed to mask rather than reveal the truth.

Then came the Cadbury Report on the financial aspects of corporate governance which has had a significant impact on financial controls and reporting, and enhanced the role of non-executive directors. Today, the Royal Society for the encouragement of Arts, Manufacturers and Commerce launches the findings of its Tomorrow's Company inquiry.

Its theme is that the companies which will sustain competitive success in the future are those which focus less on present shareholders and on — inevitably historic — financial measures of success, and more on their relationships with stakeholders (employees, customers, suppliers and the community), and a broader range of measurements in the way they think about their purpose and performance. This is called the inclusive approach.

Is this yet another burden on directors? On the contrary, it is an end to the sterile debate of "shareholder versus stakeholder". Only by giving appropriate weight to all stakeholders can directors maximise the sustainable growth of their companies for the benefit of shareholders, both present and future.

What consequences does this analysis have for directors' duties? We were struck, during the inquiry, by the number of directors who thought that company law pushed them towards pleasing the current body of shareholders rather than securing the long-term health of the business. The opposite is the case. Directors' duties are to their company, not to any third-party group. This is true even of their legal statutory duty to have regard to the interests of employees. In discharging that duty, they must have regard to the interests of shareholders (or, if the company is insolvent, of creditors). This obligation is not related to the actual shareholders at any particular moment but to the general body of shareholders from time to time. Accordingly, the duty of directors is to maximise the company's value on a sustainable basis.

There is nothing in law to prevent directors from considering the interests of third parties with whom the company has a relationship, if they judge that to do so will aid its success. Indeed, for directors not to give weight to their company's relationships could inhibit the discharge of their duty.

This means that a company that skimps on environmental protection risks losing money and reputation — part of its intangible "licence to operate". One which pays out too-high dividends risks not investing adequately for the future, and one which saves on employee costs can lose staff loyalty.

Company law does not prescribe how directors should balance all the factors which they make decisions. It does not tell them to work in partnership with their suppliers, rather than seeking to maintain short-term, adversarial relationships designed to minimise costs. It does not compel them to build up a good record of environmental practice or tell them to value human resources as the key element in their future.

But it does allow them to do so. And clearing up this misconception removes a significant barrier to change.

● The author, a partner in City solicitors S.J. Berwin & Co, has been the legal adviser to the RSC's Tomorrow's Company inquiry.

### The end of shareholder versus stakeholder

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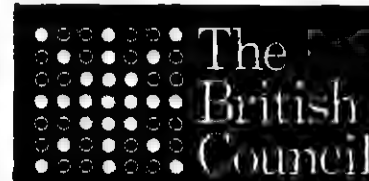
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## ■ VISUAL ART 1

Jörg Immendorff's extraordinary burst of recent work has been inspired by Hogarth's *The Rake's Progress*



## ■ VISUAL ART 2

After the horrors of the Second World War, photographer George Rodger found strength in the images of Africa

THE TIMES  
ARTS

## ■ VISUAL ART 3

The guns and violence of American life are captured by the camera in a new London exhibition



## ■ VISUAL ART 4

Opening the doors of the unconscious: the dreamlike, tranquil and often menacing work of Philippa Clayden

Hogarthian drama meets sharp observation... focus on real-life violence... recommended exhibitions

## Seen from a rakish angle

**Richard Cork**  
on a rumbustious  
German painter  
and a master  
of British  
photojournalism  
at the Barbican

Hogarth liked to maintain an aggressive attitude towards foreign artists. They came over here, he growled, and stole all the juiciest patronage from their British competitors. So what would he have made of Jörg Immendorff—a leading middle-generation German painter whose extraordinary burst of recent work has been inspired by the bulldog Hogarth himself?

The infatuation began a couple of years ago, when Immendorff was invited to design Stravinsky's opera *The Rake's Progress* for the Salzburg Festival. Although he responded to the score, as well as Auden and Kallman's libretto, Immendorff was even more fascinated by Hogarth's paintings and prints of the same subject. They, after all, had been the source of the opera. And the German soon realised that the Englishman's dramatisation of *The Rake's Progress*, opened a "secret door" onto a "miracle space".

Immendorff's work was transformed by the discovery, and the rumbustious consequences now fill the lower floor of the Barbican Art Gallery. We are assailed, at once, by the vast and strident painting of the artist himself. Naked against a rasping, scarlet backdrop, he kneels in front of a guttering candle. The pose suggests dependency, and he hides his eyes behind a hand. But a white mask covers the rest of his face, and behind him floats a free copy of Hogarth's *The Smoking Picture*, a satirical assault on dealers who darkened Old Masters to increase their value.

Immendorff, like George Grosz before him, is attracted to the hard-hitting social commentary in Hogarth's work: he made his name, after all, with the *Café Deutschland* pictures where West Germany's postwar tensions are seen in urgent, almost apocalyptic terms. More important, though, is Hogarth's insistence on treating his subjects as a dramatic writer. "My picture is my stage," he once wrote "and men and women my players, who by means of certain actions and gestures are to exhibit a dumb show."

Immendorff felt liberated by this unabashed emphasis on theatricality. It inspired him to take Hogarth's work as a springboard for his own, even



Jörg Immendorff's *Für Mutter Göse*, 1993-94, inspired by Hogarth, who once wrote that "my picture is my stage, men and women my players"

### Immendorff uses Hogarth as the springboard for his own unbridled visions

restrained. He does not kneel in most of the pictures, though. Prancing across precarious wooden beams, or urinating in an updated version of the engraving Hogarth called *Frontis-Piece*, he strides through the entire series with crazy, cocksure energy. To add to the bewilderment, he wears garish lipstick and gossamer negligee. So the Rake becomes sexually ambiguous, a lustful man who also delights in dressing up as one of the painted women seduced by Hogarth's original Rake.

Hogarth's work is quoted everywhere. Immendorff is particularly obsessed by the periwig—the subject of Hogarth's most bizarre and erotically suggestive engraving. In this show, it becomes a symbol of disguise, desire and death. But the culminating canvas of the series focuses on Hogarth's *The Bathos*, a late and despairing print which summarised the betrayal of all his hopes. Immendorff suspends this engraving above the stage of a colossal theatre. He appears himself, this time as a bee hanging on wires and



Determined to look hard at even the most mundane sights: *Shop Window Liverpool, 1964* by George Rodger

buzzing over Hogarth's vision of fertility. The dejection seems to nourish the bee, as he flies towards a parade of characters confronting the audience. They are, typically, motionless. Surrounded by a jumble of discarded props, they might be preparing to take a bow. But all prospect of applause seems doomed. The auditorium is riddled with gangster-like silhouettes plotting, struggling and paying no attention to the people on stage. So maybe the performers have been reduced to stillness by the mayhem beyond them.

We cannot tell from their expressions: Immendorff places nearly all of them with their backs towards us. Only Baba the Turk stares out in our direction, still veiled by the yashmak. But the scowling

eyes are fixed in a ferocious stare, warning us not to turn our backs on Immendorff's hallucinatory observations on the demermed pantomime of modern life.

Upstairs at the Barbican, a far more straightforward approach is adopted by George Rodger. For over half a century, he has been at the forefront of British photojournalism. During the Second World War, when he never stopped visiting the major international battlegrounds, Rodger witnessed some of its bloodiest and most harrowing scenes. But he always retained his fundamental sense of humane decency, and stopped well short of straying into false rhetoric at moments of stress. Sometimes, admittedly, Rodger's refusal to stray from the path of sober documentary

is frustrating. This is a large survey, and includes a number of images whose modesty courts dullness. I would have preferred a tighter selection, concentrating on the highlights of his career. Only then would his distinctive achievement stand out in relief from the more humdrum images he produced.

Rodger's forte lies in keen

### Rodger's forte is keen observation of quiet moments rather than stirring showpieces

observation of quiet moments rather than stirring showpieces. Looking back on his work today, he admits with characteristic diffidence to "a sort of wonderment that I ever made the grade at all". But the exhibition proves that he had plenty of obstinate, staying-power, and a determination to look hard at even the most mundane sights.

Hence the ability to catch the Lyons Teahouse waitresses on the pavement, nervously protecting their shop window with boards after an air-raid alert. The scene sums up the earnestness of the Blitz more effectively than a hundred photographs of exploding bombs.

By far the most gruesome room in the show is devoted to Belsen. Without flinching, Rodger photographed corpses strewn beneath trees and heaped in mass graves. They are impossible to look at for long. But even more disturbing is a shot of a small Dutch Jewish boy walking towards the camera past a row of cold, emaciated bodies. He turns his head away from the corpses as if to protect himself from an unbearable source of heat. We are left wondering whether anyone could fully recover from the unimaginable trauma he must have suffered. And then, turning to some simple head-studies of camp superintendents, we are confronted by the weary, de-

pressive faces of women who had helped to carry out the genocide. Although in their early twenties, most of them look prematurely middle-aged and devoid of feeling.

Belsen delivered Rodger such a profound shock that he swore never to photograph war again. Removing himself as far as possible from the continent which had descended into such barbarity, he went to Africa. By now, Rodger had played a key role with Robert Capa and Cartier-Bresson in founding Magnum Photos, the legendary post-war photographers' agency. But the African expedition was a solo venture with his wife Cicely. They drove

13,000 miles in their Jeep from Cape Town to the Equator, and the images Rodger brought back possessed a new strength and consistency. Tribal life absorbed him so completely that every photograph now repays close attention. Superficially, the wrestling pictures are the most spectacular. And the shot of a shaven-headed champion, carried shoulder-high in muscular triumph by a companion, richly deserves its status as a classic. Even so, Rodger ensures that moments of repose can be just as compelling. In Uganda, a Wakonjo fisherman pauses by Lake Edward with his catch strung along a spear. Far from gloating over the fish, he seems to be listening to the wind. And Rodger's attentive, sympathetic lens defines the man's sense of oneness with the natural world. After the obscenity of Belsen, Africa must have offered him a much-needed reaffirmation of dignity, poise and communal warmth.

Immendorff and Rodger at the Barbican Art Gallery (0171-638 4141) until August 28

ability to create the feeling of movement or potential movement: Denton's dogs and horses are frequently caught going full tilt; the big cats and birds are more likely to be tensed on the brink of action.

Piano Nobile, 26 Richmond Hill, Richmond upon Thames, Surrey (0181-940 2435) Tues-Sat 11am-6pm, until July 9

Edwin Smith (1912-71) is remembered now primarily as a photographer. Most notably for his evocations of the essence of secret England, the gardens and tombs, the follies and ancient tracks. But he began as an architect, went on to wood-graining and painting, and excelled as a draughtsman and watercolourist. Kokoschka particularly admired his drawings and wrote the catalogue introduction for his first one-man show; this proved to be the only one during his lifetime. Since his early death there have been several more. Most of the works in the present show have never been seen since they left the easel, and illustrate splendidly the range of Smith's talents and interests when he was not behind a camera, as well as throwing light on the origins of his unique photographic vision.

Sally Hunter Fine Art, 11 Halkin Arcade, Motcomb Street, London SW1 (0171-235 0934) Mon-Fri 10am-6pm, until June 16

JOHN RUSSELL TAYLOR

Shots hit  
their target

Guns, corpses, cops and gangsters are among the subjects of a hard-hitting photography show in London. Guy Walters investigates

Despite its rather glib title, *Pulp Fiction* is no homage to Quentin Tarantino. This exhibition of photography which deals with guns and violence is rather more gritty than the comic capers of such films as *Reservoir Dogs* or *Pulp Fiction*.

The show uses a line from Susan Sontag in its introduction—"to photograph someone is to subvert murder". Arguably this is a statement that would be no less significant if reversed, but the metaphorical similarities are clear. Both cameras and guns are loaded, aimed and shot. And there are some very fine shots included here.

The most chilling are those in Luc Sante's *Evidence*—a selection of murder scenes photographed by the New York City Police Department between 1914 and 1918. Like Tarantino films, these are not for children. Bloodied corpses lie in alleys, down pits and shafts and festering on grimy floorboards. That these pictures were merely taken for the record seems to

elevate them. There is no artifice of lighting and composition, which gives the pictures an horrific honesty.

There are some predictable choices here, but without them *Pulp Fiction* would be a little poorer. Weegee's *Corpus with Revolver* has the same directness as *Evidence*, and William Klein's *Gun 1, New York 1955* (in which a particularly unpleasant little brute is pointing a gun at the camera) is shocking.

Other high points are the por-

traits of various police forces: Robert Gumpert's *Homicide* is a strong black-and-white report on the San Francisco Police Department, as is Leo Regan's *Taken Down in Evidence* on the Irish Garda. Both avoid cliché and show the grittiness without being sensational. Paul Seawright's shots of the Royal Ulster Constabulary in Belfast owe a lot to Martin Parr—lots of colour and plenty of detail—but Seawright's desire to shy away from narrative may leave some viewers a little cold.

There is even a selection of shots which combine *Pulp Fiction* with *Pulp Fiction*. Robert Yager's portraits of a Los Angeles gang, the Playboys, got him arrested by the LAPD. He and various members of the gang have been imprisoned and his work has been confiscated. The offence? Glamourising gang violence. Tarantino had better watch out.

● *Pulp Fiction* runs until June 17 at The Photographers' Gallery, 5 Great Newport St, London WC2 (0171-831 1722)



Glamourising violence? Robert Yager's *In memory of my Jeffita*



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## AROUND THE GALLERIES



Scarper by Philippa Clayden: the artist's work is much more experimental than it first appears

a landscape. But Saunders's tonal range is broader and richer than Auerbach's: he loves to use luminous, acid greens juxtaposed with gorgeous edible pinks to evoke the London urban scene, interior (a perch for a pub) and exterior (reflections are reflected) in all its familiarity and strangeness.

Philip Graham Contemporary Art, 9A-11 Bonhill Street, London EC2 (0171-920 0350) Tues-Sat 11am-6pm, until June 17

Recently there has arisen a group of brilliant women animalier sculptors in Britain, using new and unconventional materials to more or

less traditional ends. They include Nicola Hicks, Sophie Ryder and Kate Denton, whose latest work is to be seen in Richmond in a show called *Animal Magic*. Like Hicks, Denton sometimes builds up the originals of her bronzes from a species of wattle and dawl, in this case clay and straw. Her particular skill lies in her

Philippa Clayden's new exhibition, *Fields of Dreams*, continues and extends her earlier work: like that, it is much more experimental than it first appears. Clayden has always been interested in her own species of automatism, which may not be quite the same as the Surrealists' brand, but has the same ultimate effect of opening the doors of the unconscious. She starts by constructing the physical surface upon which she draws and paints, generally from a mixture of crumpled and sewn-together cloth and reused paper. The effect of this collage then suggests shapes of figure and landscape to her, and the pictures gradually evolve, the title coming last of all. This time round the images are as dreamlike as before, sometimes tranquil, often menacing.

Boundary Gallery, 98 Boundary Road, London NW8 (0171-624 1126) Wed-Sat 11am-6pm, until July 8

Two apparently contradictory things strike one immediately about Peter Saunders's recent paintings: that the most important influence on him is Frank Auerbach, and that he is first and foremost a colourist in the tradition of Whistler and Sickert. On examination, this unlikely combination can be understood by carefully separating cause and effect. The Auerbach influence is almost entirely technical, to do with Saunders's way of putting on paint in bold, succulent strokes to build up the architecture of



## TONIGHT

Michael Boyd's excellent staging of John Ford's murky 16th-century play, *The Broken Heart*, opens at the Pit



## TONIGHT

In Nottingham, a British premiere for the Market Theatre of Johannesburg's satirical musical revue, *Jozi Jozi*

## THE TIMES ARTS

## THEATRE 1

Vanessa Redgrave gets it horribly wrong with her new production of *Antony and Cleopatra*



## THEATRE 2

In Newcastle, Northern Stage falls into a trap with its production of *A Clockwork Orange*

THEATRE: Political *Cleopatra* makes an asp of herself; the child's guide to ultra-violence

## Redgrave loses her deposit

Antony and Cleopatra  
Riverside

Is this weird shambles the worst major Shakespearean production since the Peter O'Toole *Macbeth*? Certainly I was left suspecting that the qualities the Bard is usually assumed to require — such as the ability to deliver verse clearly — did not count for much at the original auditions. "You're too comprehensible," I can imagine the director saying. "Don't you know it's elitist not to slur your words and emphasise the wrong syllables? Next!"

Perhaps Peter Brook could make something of the multi-ethnic cast assembled here. But he would not also choose to play Antony. Vanessa Redgrave, however, simultaneously directs the play and performs *Cleopatra*, two of the most formidable challenges our theatre has to offer. It would be nice to be able to commend this wonderful actress for her boldness and internationalism. But how can one do so when she boldly leads her international company over a cliff?

The publicity promises she will "highlight the contemporary resonance of this powerful political drama, elucidating the personal tragedies within an occupied land". That aim no doubt explains much, starting with the set, whose "concept" is attributed to Redgrave herself. This is a mix of grim barracks with barred windows and stone steps covered with rubble. Alexandria has clearly not recovered from the burning of its famous library, let alone its straying by planes during the Sixties, and the Imperial Rome is about as welcoming a place as Belsen.

Well, fine acting can justify the most plunking editorialising "concept". But that is seldom on show. What appears to be a derelict Bosnian Muslim begs for alms; folk with unevenly penetrable accents wear swords or fire blunderbusses; a Scots gentleman with a mouthful of stage blood lurches about histrionically groaning; a French-speaking Charming exchanges ooh-is-las with her mistress; and a beaming American Antony wanders through the chaos like Santa Claus on Prozac.

David Harewood's Enobarbus and, especially, Howard Sadler's Octavius emerge with credit but Paul Butler's Antony adds little but avuncular affability. Defeat and disgrace only temporarily ruffle his even temper and, to judge by the comely stance of his corpse, complete extinction troubles him still less. It hardly needs saying that the sexual electricity between him and Redgrave's *Cleopatra* is not great, even after she has changed her English dress for a black outfit that inexplicably leaves her looking like Mary Queen of Scots.

This is her third bash at a role she played in 1973 as a tipsy flapper at a colonial cocktail party and in 1986 as an overgrown child stuck in the Egyptian equivalent of Peter Pan's Never Never Land. The second was the more successful performance, but on neither occasion did she fully inhabit the character, nor does she here. She is variously harsh and strident, gentle and tender, mischievous and manipulative. She chases one messenger with a spear, dawdles seductively with another, and has some striking moments in between. But seldom did I believe she was feeling *Cleopatra* from within rather than chronicling from outside what came across as unneeded vicissitudes.

The problem may be that, in her concern with the play's political aspects, she has scant respect for the woman's emotions. That would be forgivable if either the play or its politics came over clearly and powerfully, but, alas, neither does. One image remains, that of a Lepidus left by Pompey's drinks party blundering helplessly about with a white stick. Does Redgrave really think that men who get blind drunk and end up blind sober? Maybe, for in this loopy revival anything seems possible.

BENEDICT NIGHTINGALE



*Cleopatra* (Vanessa Redgrave), *Enobarbus* (David Harewood) and *Antony* (Paul Butler) do Shakespeare on favours in an incoherent production

## Alex's cartoon cut-ups



Howard: your average neighbourhood sociopath

A Clockwork Orange  
Newcastle Playhouse

stage adaptation, drafted by Burgess and reinstating his ending. The show horrified a handful of critics, aesthetically speaking.

Now Northern Stage theatre company is trying it again, setting the action in a white-tiled precinct-turned-abattoir slashed with aerosols, a pure hell dripping with luminous rainbow colours. Alan Lyddiard's staging plays the late author's happy solution with a shot of cynicism. Angelically blond Alex (Andrew Howard) with a touch of Rutter Hauer in *Blade Runner* edis still satanically sinister.

In 1990, the RSC risked a

production too naively translates Burgess's linguistically stylised evocation of anarchy into an aggressive sound score and choreographed violence, falling into the same traps as the RSC. Often you can hardly catch the words, while we race through the story with some doggy acting on route. Alex piping away in his invented dialect can sound like someone committing GBH when he has only just read *The BFG*.

Gang warfare, turned into rock'n'roll with rival droogs swinging their partners, falls flat. It is as if, mugged by Pan's People.

The show has a fair stab at combining a cartoon view of violence with contemporary hard reality. There are psychédelic costumes, but the droogs

look more like nastily familiar football fans than Burgess's fantastical creatures of Elizabethan space-age fashion. The young cast goes for alive-and-kicking physicality too, aiming to capture the vibrancy highlighted in Alex's observations: "Energy's something built into a boy, but neither the Church nor the State have taught us to create, so... destruction's our only joy." A female victim struggles, suspended in a circus-style harness. Alex's hoodlums recklessly somersault backwards of steps. Dr Brodsky's medics, in PVC white coats and shades (overdoing on theatrical trendiness), are covert ravers, insanely power-dancing to the robotic beat of the Fascist jungle. Howard's Alex is also dangerously high, jumping like an excited little boy at the prospect of rape and murder.

KATE BASSETT

## LONDON

A VIEW FROM THE BRIDGE: Last week of performances for Bernard Hill one of our most powerful yet under-rated actors, as a Brooklyn longshoreman painfully over-enchanted with his own voice. *Death Traces* the acclaimed production of Miller's cautionary tale of obsessive obsession and betrayal. Strand, WC2 (0171-930 8800). Tonight-Sat, 7.45pm; Sun, 2pm and Sat and Sun, 3pm.

THE BROKEN HEART: Opening night for the excellent, clear staging by Michael Boyd of Ford's murky 16th-century play, *The Broken Heart*, opens at the Pit. (0171-930 8800). Tonight-Sat, 7.45pm; Sun, 2pm and Sat and Sun, 3pm.

OPERA IN THE PARK: The summer season of opera, music and dance at Holland Park Theatre opens tonight with *Reginaldo*. Opera Europa promises a "thrilling" performance of Verdi's epic of murder, immortality and revenge. Last year's Gianni Schicchi and Cavallotti Rusconi were something of a sensation so there is reason to expect much of the same again. John Gibbons conducts. David Dooner directs. Holland Park, W8 (0171-930 7855). Tonight-Sat, 7.30pm; Sun, 2.30pm.

CLAUDE MONTEVERDI: "Edgewise" song in a show created from the hit of Edgewise. Non-stop energy on the Lyric, Shobden Avenue, W1 (0171-434 5043). Mon-Fri, 8pm; Sat, 8pm and Sun, 3pm.

THE DUCHESSE OF MALFI: A tale of a woman's tragedy of incest, murder and the tangle of the mind. Wyndham, Charing Cross Road, WC2 (0171-369 1748). Mon-Sat, 7.30pm; Sun, 2.30pm and Sat, 3pm. Until Jan 17.

GARDEN: Last best performance by Gordon Kane in very funny comedy about an invader. Rialto, W1 (0171-434 5043). Mon-Fri, 8pm; Sat, 8pm and Sun, 3pm.

HOT MICKADO: Inevitably enjoyable jazz and folk version of Gilbert and Sullivan's comic opera. Superb clowning from Ross Latham's Koko. Queen's, Shaftesbury Avenue, W1 (0171-494 5044). Tue-Sat, 8pm; Sun, 3pm and Sun, 3pm.

IMMORTAL: Terry Johnson directs a revival of his two misanthropic plays. *Frankie* and *John*. Arden, W1 (0171-494 5044). Tue-Sat, 8pm; Sun, 3pm and Sun, 3pm.

## NEW RELEASES

ROAD DOGS AND ENGLISHMEN (18): A road movie about London's street scene. Directed by John Hodge. (0171-792 3333) Warner (0171-792 3333).

SOMEDAY TO LOVE (18): Based on vibrant lyrics to life's underdogs from Alexander Hodge. Directed by John Hodge. (0171-792 3333) Warner (0171-792 3333).

THE TALENTED MR. RYAN (18): A tale of a man who tries to help his country. Directed by John Hodge. (0171-792 3333) Warner (0171-792 3333).

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COLEMAN 0171 930 8800 (P) ENGLISH NATIONAL OPERA. A MIDWINTER NIGHT'S DREAM. 7.00 PM. 7.00 PM. 7.00 PM.

## THEATRE

ADOLPH: "ANDREW LLOYD WEBBER'S MASTERPIECE" by St. James. SUNSET BOULEVARD. 7.00 PM. 7.00 PM. 7.00 PM.

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## TODAY'S EVENTS

A daily guide to arts and entertainment compiled by Kris Anderson

## ELSEWHERE

CARDIFF: Welsh National Opera presents the last week of the season here, with tonight's performance of a superb Elgar. Mark Wigglesworth conducts. Tomorrow heralds a new season of La Traviata, with Nicola Focsi, the "other" star of Pavarotti's Alceste. Cardiff, Wales. Tonight-Sat, 7.30pm; Sun, 2.30pm.

NOTTINGHAM: The Market Theatre of Johannesburg give the British premiere of *Jozi Jozi*, a satirical musical revue. Nottingham, UK. Tonight-Sat, 7.30pm; Sun, 2.30pm.

## THEATRE GUIDE

Jeremy Kingston's assessment of theatre showing in London

HOUSE FULL, RESERVE ONLY. Some seats available. Seats at all prices.

THE KILLING OF SISTER GEORGE: A play by Michael Crichton. Directed by Michael Crichton. 7.00 PM. 7.00 PM. 7.00 PM.

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## CINEMA GUIDE

Geoff Brown's assessment of films in London and elsewhere. Indicated with the symbol (V) on need to see the country.

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SOUTHAMPTON: The Birmingham Royal Ballet's summer season at the Mayflower opens tonight with a new production of *La Traviata*. Southampton, UK. Tonight-Sat, 7.30pm; Sun, 2.30pm.

LONDON GALLERIES: Art Galleries. 0171-528 1535. Hayward, Landscape of France (0171-528 1535). National Gallery, London (0171-306 0055). Royal Academy, Summer Exhibition (0171-438 7438). Tate, Art Now (0171-438 7438). Tate, Art Now (0171-438 7438). Tate, Art Now (0171-438 7438).

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## THIS IS THE FORBIDDEN FRUIT

The forbidden fruit, anyway — Stanley Kubrick famously banned his own *Clockwork Orange*. Anthony Burgess's original novel was, and still is, morally disturbing in its only just futuristic vision of urban ultra-violence countered by forcefully purgative state psychotherapy.

Both are seen through the eyes of the argot-talking, Beethoven-loving, gang-leader Alex, first on the streets with his droogs, cracking into innocent victims till they crouch for mercy, then serving time in the criminally overcrowded barry hole. He is juvenile, amoral, almost beyond redemption and yet, verbally, alarmingly amusing.

Kubrick's screen version was even more polemical than the book, cutting Burgess's hopeful ending where Alex, albeit escaping Dr Brodsky's indoctrination and reasserting his free will to be bad, is ultimately on course to be

## A Clockwork Orange

stage adaptation, drafted by Burgess and reinstating his ending. The show horrified a handful of critics, aesthetically speaking.

Now Northern Stage theatre company is trying it again, setting the action in a white-tiled precinct-turned-abattoir slashed with aerosols, a pure hell dripping with luminous rainbow colours. Alan Lyddiard's staging plays the late author's happy solution with a shot of cynicism. Angelically blond Alex (Andrew Howard) with a touch of Rutter Hauer in *Blade Runner* edis still satanically sinister.

In 1990, the RSC risked a

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## INTERVIEW

John Rawnsley thought he was finished with Rigoletto. Now the baritone returns as the hunchback



## POP 1

Friends, family and fans gather to pay tribute to Bob Marley, the reggae legend who would have been 50

## THE TIMES ARTS



## POP 2

Teenage Fancub: the Glasgow quartet have grown up, writing songs that are altogether more impressive



## JAZZ

King of the improvisers: Sonny Rollins takes a tune apart, piece by piece, and then reconstructs it

# Still backing a hunch

Why is John Rawnsley playing Rigoletto for the umpteenth time? Because it's all fresh and new, he tells Richard Morrison

The Hackney Empire is clearly the place to be. Earlier this year Ralph Fiennes played his mesmerising Hamlet there. This Friday, another great portrayal will, read those famous Victorian boards: John Rawnsley sings Rigoletto. It is a role the Lancastrian baritone first delivered in 1978, sang again in the famous Jonathan Miller "Mafia" version at the Coliseum in 1982, and has performed more than 200 times round the world since.

He is surprised, to put it mildly, to find himself doing it again. "The last time I did the Miller production was in Spain, in Italian, in 1992. There it is, I said, 'I've seen enough of Rigoletto.' Don't get me wrong, it was an exciting production, not your usual cap-and-bells stuff, and people still came up to me and say, 'Rigoletto was the first opera we'd ever seen, and now we go to the Coliseum, regularly.' A whole generation was turned on to opera by that production, without all that patronising 'take opera to the people' stuff, but by then I wanted to do other things."

Yet now he is back in the hunchback role, performing Verdi's tragedy with the Opera Company, the Kent-based company of mainly young singers formed in 1989. "It has had been another ordinary production, where you stand around and watch someone directing traffic, I wouldn't have been interested. I've done 200 matinees of those T.M.A.R. efforts — you know, take the money and run. Or those factory-line productions in Germany where people fly in for a day's rehearsal. If you're lucky. My God, I once did Macbeth in an hour's rehearsal. That's fine when you are young and the paint hasn't dried. But when you have been at it for 15 years you think there has to be more than this."

In this case, there is. Bizarrely, Rawnsley met his new Rigoletto director, the Lithuanian theatre director Dalia Ibelhauptaitė, at a Boat Race party in Hammersmith. "An actor friend, Alan Rickman, had told me she was a clever woman. Well, we sat down in the middle of all those people, and just talked about Rigoletto. They talked for four hours. We found we were on the same plane — if not always in adjacent seats."

Rawnsley comes from a small Lancashire town. His upbringing was not exactly steeped in theatre. "Theatre visits? You must be joking, lad. Nobody even went to Manchester from my home town. I was 16 before I first visited London. And then my mother



"If this had been another ordinary production, I wouldn't have been interested," John Rawnsley says

sawed my pockets down so that I wouldn't get robbed."

Nevertheless, even as a schoolboy he wanted to be an actor. A careers master told him that he would need GCSEs to go on the stage. "I didn't have any, so I went into textiles. I eventually got on the stage through my singing."

That natural acting ability, however, has since served Rawnsley well in the highly strung baritone roles in which he specialises. And in recent years — despite his worldwide fame as Rigoletto and in a range of other roles — he has moved away from the opera house towards straight plays and musicals. He brushes aside suggestions that this is rare. "Nonsense, I'm

Gobbi did it. Actually, working with actors has broadened my outlook tremendously, and recharged my batteries to come and do this."

Recharged his batteries? That implies disillusionment, and there is perhaps an edge of melancholy, if not outright bitterness, to Rawnsley's voice as he reels off the list of meaty operatic roles that he has sung in distinguished theatres across Europe but not in Britain, for whatever reason. "I'd like to sing Macbeth again here, having done it in Italy and Spain. I'd like to sing Esio (Arturo) in this country, and Traviata and Don Carlos — because I do sing them rather well."

But Rawnsley is too ebullient a

figure to descend into self-pity. After all, here is a man who has conquered La Scala. Was he nervous when he had to step out on to that Milan stage in *Pagliacci* and sing Tonio to Carreras's Carlo? "In the dressing room I was getting incredibly twitchy. So I sat down in front of the mirror, looked at myself, and said: 'You silly bugger, it's only another theatre. No different from the Palace, Manchester.' Then I walked out, sang the Prologue, and brought the house down."

Rigoletto opens at the Hackney Empire (0181-985 2424) this Friday. It then tours to Richmond Theatre (June 13-16), Crawley, Brighton, Edinburgh, Tunbridge Wells and Bath

POP: Paul Sexton on reggae and a band finally in fashion

## Happy birthday to Bob

Tribute to Bob Marley Wembley Arena

A TROUPE of friends, fans and family has recently sped through Europe, celebrating what would have been Bob Marley's 50th birthday last February. His band, wife and children were all present to venerate the great Everyman of reggae, joined by two crowd-pulling guests, recent chart regulars Paolo Bonanno and Jamaican veteran Jimmy Cliff. The inevitable reservations about Marley's memory being used as a stepping stone, even as a pension, were not helped by a leaf through the programme. In which the customary merchandising franchises were advertised along with "Bob Marley Legend Collector Cards", issued "under licence from the Bob Marley Foundation". Another page depicted the \$100 gold and \$50 silver coins that are being issued in his name this month by the Bank of Jamaica.

Some guests at this giant party chose to perform only Marley music: the Waiters Band, led by vocalist/guitarist Junior Marvin, worked through a proficient series of favourites such as *Roots*, *Rock Reggae* and *Jamming*. The "female Waiters" the I-Threes — Rita Marley, Judy Mowatt and Marcia Griffiths — continued with *Sir I Up*, a horn-enriched *Buffalo Soldier* and even a version of Marley's latest posthumous Top 20 entry, *Keep On Moving*.

Banton, clearly on the bill because of his current marketability, protested too strongly about not being a pop star, a point undermined by his crossover, featherweight reggae. A performance of last year's chart-topper *Baby Come Back* was hardly in the same spiritual class as a man whose picture loomed large

from the back of the stage. Ziggy Marley, his brother and sisters have based a more than respectable career on their father's inspiration and on plenty of ideas of their own: it enters a new phase with the release next month of their

first album for Elektra, *Free Like We Want 2B*.

But, with the exception of a couple of songs including 1989's *One Bright Day*, they too decided this was an evening for a tribute by cover. And who more qualified, one thought, as they delivered loving versions of *Redemption Song* and *So Much Trouble in the World*.

Cliff, probably as close to legendary status as any living reggae man, topped off the show with his own agenda, moving with no little energy through *You Can Get It If You Really Want*, last year's surprise hit *I Can See Clearly Now* and a faithful *Mary Rivers to Cross*. Such a spy performance by a contemporary of Marley's must have warmed the spirits of every participant.



Related 50th birthday presents at Wembley to Bob Marley from his family, colleagues and a few thousand dreadheads

## Wonderful formula won

Teenage Fancub Empire, W12

IN SOME parallel universe where the music business still plays by the old rules, Teenage Fancub are blaring from radios and Danettes nationwide. Paul Sexton writes. Back down here, their unbeatable combination of cool images and great songs can, it seems, be held at bay.

That does not mean that the Scottish quartet did not enjoy healthy first week sales for their splendid new album *Grand Prix*. Simply that a band with such an impressive portfolio of singles ought to be airplay essentials and denizens of the upper regions of the charts. Instead, they're always stuck in second gear, just outside the "Fun 30", as Tony Blackburn would have put it in the era that the Fannies remember so fondly.

agreedly melodious but is based entirely on a two-line lyric and comes and goes within a couple of minutes.

These days the group writes songs of altogether more impressive dimensions, especially *Neil Jung* and the two *Grand Prix* singles to date, *Mellow Doubt* and *Sparky's Dream*.

Purging the tin lid on any idea that they might merely be half-sized ruffians with some vague ambition to be Beatles for the 1990s, co-writer Raymond McKinley took the lead on what could well be the first use of the word *Verisimilitude* in a rock song title. "I don't need an attitude," he sang. "Rebellion is a platitude."

A winning evening for the campaign for real songs.

## Haydn, but not seeking

## CONCERT

Haydn Festival Bridgnorth

"WOULD you like to hear the Bear Dance again?" asked the conductor. "Yes!" chorused the audience, clearly feeling not in the least patronised by the way the question was put and not at all disappointed by the manner in which the Symphony No 82 in C major had been performed. It is an uncommonly good audience at the English Haydn Festival in Bridgnorth.

Shropshire. Enthusiastic about the music of their featured composer, delighted to have it brought to them in the congenial setting of St Leonard's Church, flattered by the presence of big names, reassured by the artistic direction of no less an authority than

H.C. Robbins Landon... they deserve something better than they are getting from their resident musicians.

Granted that the cost of engaging an established chamber orchestra might not come within the budget, it should still have been possible to find freelance woodwind instrumentalists more accomplished than most of those at present in the Haydn Festival Orchestra, and a conductor who could at an early stage impose a minimum of unanimity in style and ensemble on a basically adequate body of strings players.

While David Shaw evidently enjoys conducting Haydn,

Orchestra will be taking some kind of shape. By then Robbins Landon will have been on the scene for a while with, no doubt, valuable artistic advice at the ready.

Barry Tuckwell has been and gone, giving a low-voltage and unsteady account of Mozart's Horn Concerto No 3 in E flat. K 447, together with a firm and revealing one of Haydn's underrated example in D. Roger Woodward, the festival's artist in residence, is still there, having made the first of his five appearances in Mozart's Piano Concerto in G, K 453, in which he was modest to a fault, modestly faulty, and peculiarly numb in his reactions to the ideas so generously put before him.

GERALD LARNER

## Star stays in the wings

## JAZZ

Sonny Rollins Barbican Hall

GENERALLY acknowledged as the world's foremost jazz improviser, saxophonist Sonny Rollins begins his concert where most other musicians leave off: with passionate, virtuosic solos, up to 20 minutes long.

It was therefore something of a surprise when, instead of laying out all his musical wares from the off, Rollins stepped quietly aside in his sextet's opening number, *You*, and allowed his long-time frontline partner, trombonist Clifford Anderson, to take the concert's first solo, and his pianist, Kevin Hays, to take the second.

Rollins did eventually plant himself in his swaying stance and get to grips with the tune's changes in his customary terrier-worrying-a-rat manner, but it was not until he led the band into *Duke of Iron*, the first half's Caribbean-flavoured closer, that he really pulled out all the stops.

Over a lively, churning rhythm provided by electric

bassist John Lee, drummer Billy Drummond and percussionist Victor See Yuen, Rollins interspersed blistering runs and his trademark querulous flurries with the odd musical quotation, not so much examining the tune's shape as taking it apart and then reconstructing it.

Beginning the second half with *Long Ago and Far Away*, and following it with a moody treatment of *Cabin in the Sky*, which featured a deliciously elegant, almost french horn-like solo from Anderson and an attractively spangly bass solo from Lee, Rollins was again — by his prodigious standards — somewhat subdued until he eased himself into his showstopper, *Don't Stop the Carnival*. Usually,

this tune provides the great man with a platform for demonstrating all aspects of his matchless improvisational gift, but on this occasion it elicited from Rollins only an excellent solo, rather than the customary uniquely breathtaking display crammed with pyrotechnics.

Of course, such mild disappointment says more about — perhaps unrealistic — audience expectations than about the actual merits of Rollins's performance, and there is a sense in which overfamiliarity with his ability to stay on his musical tightrope unfairly mitigates the excitement derived from witnessing his death-defying skill. The fact remains, however, that a Rollins performance is not generally memorable, as this one was, as much for its cogent ballads and the excellence of his sidemen as for the unmatched virtuosity of the man himself.

CHRIS PARKER

Declan Donnellan's new production

Starring Lesley Garrett and Sally Burgess

The Rise and Fall of the City of Mahagonny

Kurt Weill

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23, 26, 28, 30 at 7.30pm  
June 20 at 6.30pm

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THE TIMES

Crème '95

14-16 JUNE

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# Japan aim to pose solid test for slick Brazilians

By PETER BALL

EVERTON have long rejoiced in being "the school of science," their supporters reveling in the finer points of football. Fittingly, they are expected to provide the biggest attendance of the Umbro Cup so far, with 20,000 tickets sold and a crowd of 25,000 anticipated for the match tonight between Brazil and Japan at Goodison Park.

The presence of Brazil, alone, would guarantee a crowd. Japan's display at Wembley on Saturday has suddenly given them credibility, too, as something more than makeweights.

Japan were capable of embarrassing England; whether they will embarrass Brazil is more questionable, and may depend on how eager Brazil are. But fears that meeting Brazil would be as damaging for Japanese football as the encounter with New Zealand on Sunday was for their rugby union counterparts, can be dismissed. Nonetheless, Brazil could easily run up a big score against anybody, if they pursued goalscoring with the relish they show for the game's other skills.

Japan's gritty performance at Wembley promises to make what was originally the least obviously attractive game in the Umbro Cup, suddenly likely to be the most appealing. It is now the Europeans whose reputations are on the line.

But if Japan are the revelation of the tournament, Brazil are again promising to fulfil their destiny as the standard-bearers of the game. On their performance against Sweden, they may develop into a better side than the team which won the World Cup a year ago, even without Romario.

The inclusion of Ronaldo, and the exhilarating midfield genius of Juninho, means they are once again the imaginative, free-flowing spirits of Pelé's days, the cold hand of fear and negativity which stifled them now relaxed by

Mario Zagalo, the Brazil coach. "We showed real Brazilian football, which makes people clap and cheer," Zagalo said on Sunday.

Once again they have defenders as comfortable on the ball as most attackers. "Roberto Carlos must be the best left back in the world," one observer of Brazilian football said yesterday. "The only thing we don't know is whether he can tackle."

We may not find out in this tournament, unless England rise to the challenge on Sunday, which seems unlikely, or Japan can draw on even greater depths than they managed against England.

Carlos, however, is not the only Brazilian defender to admire. Ronaldo, one of several members of the side playing in the Japanese league, has joined Aldair to form a solid central defence. Merseyside, however, will not be there to watch defenders. They will hope to see something special from Ronaldo, just 18 and whom some critics wanted in the World Cup team, from Juninho, 22, and Edmundo, the scorer of the goal which beat Sweden.

They found no need to complain that they had only been together since last Wednesday when they met as a team for the first time, players coming from Europe, Brazil and Japan. "It's a question of technique," Edmundo said. "Brazilian players are born with it. Perhaps in England they are not."

Nottingham Forest, meanwhile, are said to have offered in the region of £4 million for the Sweden international forward, Martin Dahlin, whom they are lining up to replace the unsettled Stan Collymore.

Dahlin, 27, left his teammates in England yesterday as he returned to persuade his German club, Borussia Mönchengladbach, to let him discuss the offer with the Nottingham Forest manager, Frank Clark.



Kevin Keegan, left, the Newcastle United manager, having just made Warren Barton the most expensive defender in British football, introduces his new signing from Wimbledon at St James' Park. Report, page 48

## Warnock moves on after promotion

NEIL WARNOCK resigned as the manager of Huddersfield Town yesterday after leading them to promotion through the Endleigh Insurance League second division play-offs. His departure means the Yorkshire football club must appoint a seventh manager in ten years.

Warnock said he was leaving on amicable terms. "After a lot of soul-searching, I have decided it is in the best interests of both myself and the club that I leave now," he said. "It is only fair that the board have as long as possible to choose my successor."

Steve Coppell, Mike Walker and Ian Porterfield have been linked with Huddersfield since it became clear a vacancy could arise.

Warnock, who is reported to be wanted by Derby County

and Plymouth Argyle, said: "Whoever does take over will have an immediate plus from the fact that no contracts are up among the current first-team squad, which I feel is strong enough to hold its own at the next level."

Barry Fry pledged himself to Birmingham City yesterday, ending speculation that he was set to leave after guiding them to the second division title. The former Barnet and Southend United manager has signed a three-year contract, his first since taking charge at St Andrew's in December 1993. "I have had a meeting with Karen Brady

[the club's managing director] this morning and categorically confirm that I will be staying on as manager," Fry said. "I have always given 100 per cent to Birmingham City and this will continue."

Alex Ferguson, the Manchester United manager, said yesterday that he would reject Internazionale's offer for Paul Ince. "There is nothing doing," Ferguson said after a meeting with the chairman, Martin Edwards, to discuss the bid.

Ince, 27, the England midfielder, has insisted that he would like to remain at Old Trafford and his ambition is to captain the club. Ferguson is keen to strengthen his squad after failing to win a top trophy last season but has been told he must sell to raise funds for new players.

England face early test

THE CANADIAN strike force of Charmaine Hooper — whose brother also plays football for Canada — and Sylvana Burlini, who are considered Canada's best and most experienced players.

England should take heart, however, from Canada's 5-0 defeat in their preparation match against Denmark in Copenhagen last week.

England will need to sub-

## Defeat for Havant brings demotion

HAVANT lost their battle for survival in the European club hockey championship in Terrassa, Spain, yesterday, going down 4-2 on penalty strokes to Royal Houtdonck, of Belgium, after a 3-3 draw in the play-off series (Sydney Friskin writes). Havant were a minute away from a 3-2 victory when Eric Vander Gracht, one of three brothers in the Belgian side, snatched the equaliser from a short corner to take the match into a shoot-out. There was no extra time.

Havant's defeat means that Teddington will have to play in division B next year. Uhlenhorst, of Germany, won the championship for the eighth year in succession by defeating Amsterdam 1-0 in the final with a goal by Helwig, made for him by Brinkmann, midway through the second half. Athletic Terrassa, the host club, claimed the bronze medal with a 4-1 victory over Cernusco, of Italy.

## Thomson prevails

EQUESTRIANISM: Mary Thomson completed her second international three-day event victory in three weeks when she triumphed in Punchestown, Ireland, yesterday. Riding Star Appeal, the Devon horsewoman held off a late challenge from the Olympic champion, Matt Ryan, of Australia, on Alster Pedia.

Thomson won the event on King Solomon last month in Compiègne, France. She finished yesterday on 49.3 points to beat Ryan by 1.9 points. Terry Boon, 21, from King's Lynn, a former European Young Riders champion, was third on Vital Decision. Britain won the team competition, with Ireland second and Japan third.

## Wharton plots return

BOXING: Henry Wharton, who has not boxed since his defeat by Chris Eubank last December, will return to the ring on July 8 to take on Mauro Galvano, of Italy, for the vacant European super-middleweight title at the Barbican Centre, York. Home advantage for Wharton was secured by his manager, Mickey Duff, who bid £100,000 for the bout, which the boxers will share equally. Galvano, a former World Boxing Council champion, who lost his title to Nigel Benn, is awkward and elusive, but Wharton said he had the confidence to handle him.

## O'Neal leads Magic

BASKETBALL: Shaquille O'Neal scored 25 points to lead the Orlando Magic to a 105-81 home rout of the Indiana Pacers on Sunday and propelled the Magic into the National Basketball Association play-off finals. The Magic outscored Indiana in every quarter to win the Eastern conference finals by four games to three and reach their first championship series. Orlando, in their sixth season since joining the league as an expansion club, will host the defending champions, the Houston Rockets, tomorrow in the opening game of the best-of-seven final series.

## Sanderson re-emerges

ATHLETICS: Tessa Sanderson, the 1984 Olympic javelin champion, has applied to be put back on Britain's drug-testing register three years after her last competition. The timing of Sanderson's application would make her eligible for a British record sixth Olympic appearance in Atlanta next year, at the age of 40. Sanderson is not eligible for the world championships this summer because athletes returning from retirement must be on the out-of-competition testing list for 12 months before they can return to international competition.

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TOKEN 2

## SHEEHAN on BRIDGE

By ROBERT SHEEHAN, BRIDGE CORRESPONDENT

Dealer West	N-S game, IMPs
♠AQ ♥AJ1088 ♦Q864 ♣J2	♠97854 ♥KQ ♦J2 ♣107883
♠KJ108 ♥832 ♦107 ♣AKQ4	

Contract: Four Spades by South. Lead: King of diamonds

This is another hand from the Spring Foursomes. After West had opened Three Diamonds and North had doubled for take-out (I prefer Three Hearts), South bid Four Spades. When the king of diamonds had won the first trick, West could tell that her partner had a singleton — with 10-2 or 7-2 East would play the higher one on the first round. So West continued with the jack of diamonds, which had the effect of killing the declarer's diamond trick. However, as it happened it was at the cost of East's trump trick. On this deal it would have worked better if West had cashed a second diamond and then switched to hearts.

The declarer covered the jack of diamonds with the queen; East ruffed and returned a club to the jack. Declarer drew trumps in four rounds, discarding a diamond and a heart from dummy. Now if East has a heart honour and no more than four clubs, the contract is lay-down: the declarer plays off all the clubs before finessing dummy's jack of hearts, thus end-playing East. But when West showed out on the third

club the hand became problematical.

The technically correct play is to discard dummy's last diamond and finesse a heart. By now East is known to be 5-2-1-5, and she will have to win and give declarer entry to hand with a club to take a second heart finesse. In fact the declarer tried the slightly insulting play of discarding a heart from dummy and playing a heart to the jack. In the three-card ending East should win and return her last heart into dummy's now AJ bare of hearts — dummy has to lose the last diamond to West.

In practice East returned a fourth round of clubs to South's ace. Now West had to come down to two cards, and to keep her winning diamond she had to throw a heart. Dummy discarded a diamond and now when West followed suit on the heart she was known to have a diamond as her last card. So the declarer put up the ace of hearts and dropped East's queen.

Robert Sheehan writes on bridge Monday to Friday in Sport and in the Weekend section on Saturday.

## KEENE on CHESS

By RAYMOND KEENE, CHESS CORRESPONDENT

### New opening

It is rare that a totally new opening should occur in a grandmaster game after three moves. But that is what occurred in Novgorod in round eight when Jean Ehlvest from Estonia launched a new strategy against the French Defence of the Armenian grandmaster Rafael Vaganian. Although the game later transposed into known strategic channels, Ehlvest's opening system is one of the most unusual contributions to opening theory so far this year.

Vaganian's 19th move was over-optimistic and he lost a piece for barely sufficient compensation. When Black played 31...a5 it seemed that he had forgotten about the possibility of the en passant capture, and this led promptly to the loss of a second piece. Ehlvest wrapped up with a fine counter-sacrifice of a rook on move 33 to force a winning endgame.

White: Jean Ehlvest  
Black: Rafael Vaganian  
Novgorod, June 1995

### French Defence

1	e4	d5
2	Qc2	Nf6
3	e5	Nc6
4	Nf3	d6
5	d4	Nc7
6	h4	b6
7	Nc3	d5
8	Qd1	Ba6
9	Bc2	Nb5
10	Ne2	Qd7
11	c3	c5
12	Qd3	Nb8
13	h5	h6
14	Bd2	Nc6
15	Nf4	Nd5
16	0-0	Nc5
17	b3	cd4
18	cd4	Bc3
19	Na1	Bb2
20	Rb1	Bcd4
21	b4	Nc4
22	b5	Bd2+
23	Rd2	Nb5
24	Og3	0-0-0
25	Bg3	Fg6
26	Nc2	Kc7
27	h4	Qc7

28	Re1	Nd7
29	Nb4	Nc5
30	Qf3	Ne4
31	Rc4	a5
32	ba6+	Kc7
33	Rc6	Qd6
34	Nc6	Qd8
35	Nc8	Rc8
36	Qh4	d4
37	Qxc6	Rc6
38	Bc4	Black resigns

Diagram of final position

### Quick on the draw

Garry Kasparov maintains a slender lead after the weekend's play in the Novgorod tournament. In round eight a sharp poisoned pawn variation against Nigel Short burnt out to a speedy draw.

White: Nigel Short  
Black: Garry Kasparov  
Novgorod, June 1995

### Stilian Defence

1	e4	c5
2	Nf3	d6
3	d4	cd4
4	Nc4	Nf6
5	Nc3	e6
6	Bg5	Qc6
7	h4	Qc2
8	Qd2	Qc5
9	Rb1	Qc8
10	h5	Nc8
11	h6	h6
12	Nc6	h6
13	Be2	Be7
14	0-0	0-0
15	Rd3	Oc5+
16	Bc3	Oc5
17	Bd4	Oc5
18	Bb6	Oc5

Draw agreed

Raymond Keene writes on chess Monday to Friday in Sport and in the Weekend section on Saturday.

### WORD-WATCHING

By Philip Howard

CASSERIAN  
a. A goat's cheese  
b. A constellation  
c. A nerve ganglion

CHEESELIP  
a. A harelip  
b. Sarcaasm  
c. The woodlouse

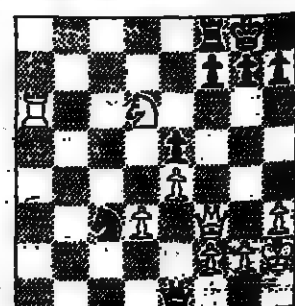
CONTUM  
a. A four-horse chariot  
b. A dust cloud  
c. Hemlock  
CROCKARD  
a. A cheese broche  
b. Base money  
c. A cripple

Answers on page 46

By Raymond Keene

This position is from the game Varga - Lengyel, Hungary 1995. White is threatened with ...Ne2 which would cause disruption in his camp. However, White found a clever way to break into the black position first. Can you see what he played?

Solution on page 46



Hindson  
Essex to  
wrong tu

Ham suffer a  
headley strikes

MOTOR  
INSURANCE  
THE  
EASIEST  
QUOTE  
PLEASURE  
AND GAINS















Australian and German hopes go out on day of dispute

## Bruguera weathers stormy ride

FROM STUART JONES  
TENNIS CORRESPONDENT  
IN PARIS

CONFUSION reigned at the French Open yesterday. It settled deep in the brain of Scott Draper, a hugely talented Australian celebrating his 21st birthday, and Michael Stich, the No 12 seed, and it temporarily invaded the mind of Soeren Friemel, a German umpire.

The aberrations adversely affected the matches in which the three were involved. It cost Draper and Stich, each of whom conceded ten successive games, a place in the last eight and it needlessly disrupted Magnus Larsson's comeback against the holder, Sergi Bruguera.

Any young left-hander from Queensland is perhaps destined to be linked with the state's legendary figure, Rod Laver. Nevertheless, comparisons in this case appear to be based on criteria more substantial than the wishful thinking of Australians.

Draper admits to being "a late bloomer", like his predecessor, and his ability has been described as potentially the most exciting since a youthful John McEnroe announced himself at Wimbledon in 1977. Nobody in the centre court could have disputed such extravagant claims.

But only for the opening quarter of an hour. In that time Rocco Furlan was, like everyone else, taken aback by the power, precision and audacity of an opponent who breezed through the first four games of an occasion which appeared wholly unimpressive.

Although he has no visible weakness, Draper's lone shortcoming lies in his head. Alarmed by the ease of his own progress, he felt "bewildered and out of place" as he slipped from 5-2 in the first set to 0-5 in the second. "I was just letting it go and not doing anything about it."

Ahead 5-3 in the third set and 6-5 in the tie-break, he yielded the initiative on both occasions, going out 7-6, 6-1, 7-6. He intends to learn from the experience. Once he learns to be patient and to choose the right options, he could develop into a formidable player.



Furlan shows the spirit which allowed him to fight his way back into the match against Draper, of Australia

Michael Stich, governed by his fragile temperament, often abuses his gifts. Against the contrastingly tenacious Michael Chang, he coasted through the first set and then lost his direction to such an extent that he could not hope to find his way back. He was beaten 1-6, 6-0, 6-2, 6-3.

Larsson, a tall and languid Swede, tends to drift in and out of matches, too. In the middle of his duel with

Bruguera and without expending excessive energy, he won all but five of 32 points and took seven games in a row off a man who has not been beaten here for two years.

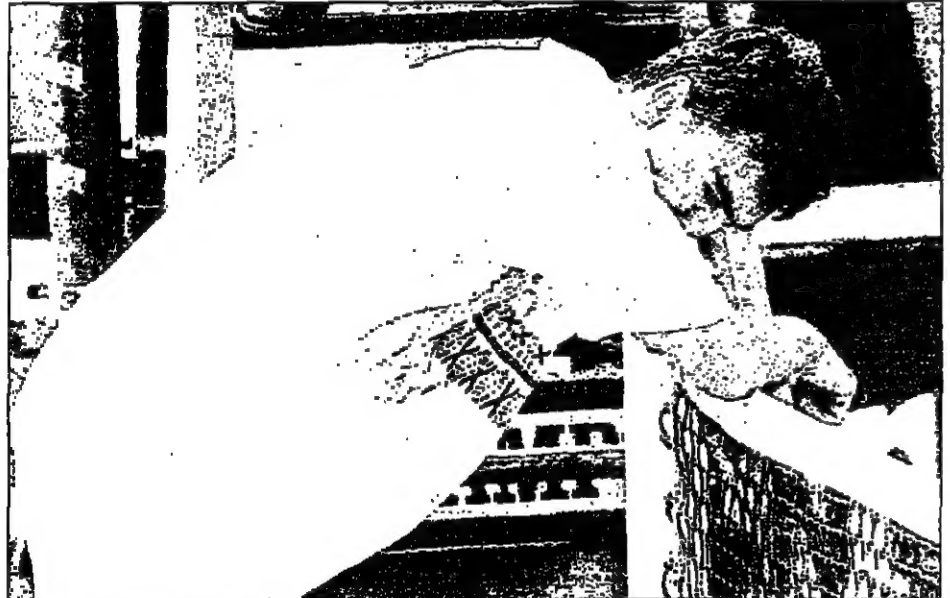
He saved a match point at 3-5 in the fourth set before being stopped in his tracks after the second point of the tie-break. His forehead winner was adjudged to have landed beyond the sideline only by Bruguera, who im-

plored the umpire to check the relevant mark in the red clay. Friemel refused, rightly stating that the ball was "clearly in". Bruguera accused him of cheating and asked for the supervisor.

The umpire is obliged to accede to such a request only on a point of law — but not concerning his own opinion. In appeasing the Spaniard, he kept Larsson, an innocent party, waiting for five minutes before play re-

sumed. "If he was so sure that the ball was good", he argued with justification, "he shouldn't allow Sergi to take all that time."

Bruguera, amid a torrent of jeers, eventually went through 1-6, 2-6, 7-5, 7-6. The seventh seed, he will play Furlan, the champion as a 17-year-old in 1989, meets Adrian Panatta, the Romanian qualifier who was defeated by Bruguera, who im-



Bruguera leans on the net awaiting the supervisor after his protest yesterday

## Seles plans return

IT IS thought that Monica Seles, the former No 1, is genuinely planning her comeback (Stuart Jones writes). Absent from the women's tour for more than two years after being stabbed in Hamburg, she may return at the end of the summer and probably in her adopted homeland, the United States.

Seles has been in Paris to speak to her agents, the International Management Group, and is believed to have discussed how and where she could best compete again.

Steffi Graf has agreed that her rival could resume as the joint No 1, which would obviate the need to qualify for events. Although the Women's Tennis Association is

reluctant to make an exception for Seles, she could be treated favourably, perhaps at the Los Angeles Open, three weeks before the start of the US Open.

Mary Pierce, the No 3 seed who was knocked out of the French Open on Sunday, is again unlikely to enter Wimbledon, where she has never played. Citing shoulder and groin injuries, she has cancelled an exhibition match, scheduled in Prague next week, and is to return to Florida for medical tests.

In each of the past two years, she has withdrawn from Wimbledon at the last minute. Graf, five times the champion there, is considering preparing for the event by competing at Eastbourne.

## Bowls takes a look at forming lucrative competition

By DAVID RHYNS JONES

BOWLS is poised to take a giant step into professionalism and world circuits, according to David Harrison, who is, in effect if not in title, the marketing director of the sport worldwide.

Briefed by the World Bowls Authority (WBA), which embraces the game indoors and outdoors, to produce a network of big events, the former chief executive of the World Professional Billiards and Snooker Association has a dream of creating a world series.

Harrison, just back from a series of meetings in Australia and New Zealand, reported: "The Australian Broadcasting Company have agreed to cover an event live each day from November 1 to 5, and the next moves will be to obtain a sponsor."

The Australian event, he hopes, will be the first of a world series, with the second being staged in New Zealand in 1996. "Each event will involve the best players in the world, with a strong representation from the host country," Harrison said. "Both Australia and New Zealand are sold on the idea of the event taking place indoors, and both countries now have suitable venues. Negotiations are also continuing in South Africa, as we intend to extend the world series beyond the big bowls-playing nations."

Bowls may seem like the bastion of amateurism, but the game went open in 1980, since when there has been no distinction between amateurs and professionals.

Although money prizes have become commonplace, the amounts on offer have remained modest, except for televised events, such as the world indoor singles championship at Preston, where the winner takes £26,000.

The World Bowls Players Association (WBPA) has welcomed the move. The leading practitioners, professional in everything but name and income, have been campaigning for more opportunities to earn money out of the game.

Nobody earns a living exclusively from playing bowls, but several, like Richard Corsie, Tony Allcock and Andy Thomson, have bowls-related careers, which allows them a degree of flexibility when it comes to accepting invitations. "I am lucky," Gary Smith, the WBPA secretary, said. "I work for sports equipment manufacturers who are very supportive, but many of my colleagues have day jobs and often find it difficult to attend top events."

The average age of the leading bowlers has fallen dramatically in recent years, so most of us have young families as well as bowling commitments. We would relish the chance to turn professional property, but at present opportunities are few and far between."

## Actor talking to himself

Shades of Gray, Radio 3, 9.20pm.

You may not have heard of him, but get acquainted with Spalding Gray over the next four evenings and you should find it a rewarding experience. Gray is an American actor, author and monologist — he does a solo two-hour stage show — and in these programmes he talks to himself in splendid comic effect. Tonight it is mainly about his hypochondria, the neurotic overtones reminiscent of Woody Allen to whom he has been compared. Then it is on to a tale about reading a film part as a suicide — "extremely therapeutic" — and leaving it as still in his macabre make-up and noting people's reactions. Finally, they took no notice. All four mini-monologues were recorded during a single session at a New York studio.

Laying Down the Law: Policing the Peace, Radio 5, 10.35pm.

Ideas for a new kind of police force in Northern Ireland are aired in this investigation by Tim Jenkins who examines whether the RUC, a paramilitary police force, can adapt to the changed circumstances of peace. He also tries to find out how it can gain acceptance in communities where they cease to exist. He is accompanied by a patrol, accompanied by the Army. He visits the heart of nationalist Belfast and goes out on foot patrol with the local police. The programme includes a view on future prospects by Sir Hugh Annesley, the Chief Constable, and takes soundings in Antrim where residents and police work together on a growing drugs problem.

Kenneth Golding

## RADIO 1

FM Stereo 4.00pm Dave Pearce 6.30 Chris Evans 8.00 Simon Mayo 9.00 Gary Moore live in session 12.00 Lisa (Anson, including at 12.30-12.45pm Newsbeat; and at 1.15 The Top 200 Nicksy Countdown 4.00 Mark Goodier, including at 5.30-5.45 Newsbeat 7.00 Evening Session 9.00 Clingfilm 10.00 Mark Radcliffe 12.00 Wendy Lloyd

## RADIO 2

FM Stereo 8.00am Martin Kettle 8.15 Pause for Thought 7.30 Sarah Kennedy 8.15 Pause for Thought 8.30 Ken Bruce 11.30 Jimmy Young 2.00pm Chris Squire 3.30 Ed Stewart 5.00 John Dunn 7.00 Hayes over Britain 8.30 Whoopun? 9.00 Let It Be — Please! Beatles songs recorded by unusual artists 10.00 Explorer 2 10.30 The Jamblers 12.00am Steve Madden 1.30 Pause for Thought 3.00 Alex Lester

## RADIO 5 LIVE

5.00am Morning Reports, incl at 5.45 Wake Up to Money 6.00 The Breakfast Programme 6.30 The Mags, incl at 10.30 Going to Grass, 10.35 Euronews, 11.00 Daily News 12.00 Midday with Mail, incl at 12.34pm Moneycheck 2.05 Race on Five, incl at 2.35 Living Off Crime, and at 3.15 Prime Minister's Question Time 4.00 John Inverdale, incl at 4.15 Heroes and Villains; and at 6.15 Crime Update 7.00 News Extra 7.35 Football: Japan v Brazil 10.00 News Talk 10.35 Laying Down the Law: Policing the Peace: See Choice 11.00 Night Extra, incl at 11.15 The Financial World Tonight 12.00am After Hours 2.05 Up All Night

## TALK RADIO

6.00am Sean Bolger 10.00 Scott Chisholm 1.00pm Anna Pearson 3.00 Tommy Boyd 7.00 Maureen Duff and Carol McElhin 10.00 Celine 1.00am Ian Collins

## WORLD SERVICE

All times in BST. 5.00am News 5.30 Europe (MW only) Off the Shelf 5.45 On Screen 6.00 News 6.30 What's New? (MW only) Europe 6.45 On the News (MW only) The Top 200 Nicksy Countdown 7.00 World Today 7.30 Unforgettable 8.00 News 8.15 Health 8.30 News 8.50 What's in a Nuts 9.00 News 9.15 News 9.30 News 9.45 News 9.55 News 10.00 News 10.15 Two Cheers for Joy 10.45 Sport 11.00 News 11.30 BBC English 11.45 Off the Shelf 12.00am News 1.15 Britain 1.30 Foreign Postings 2.00 News 2.30 Outlook 3.00 News 3.30 News 3.45 BBC English 4.30 Development (MW only) News in German 4.45 Health (MW only) News in German 5.00 News 5.15 Concert 5.30 News 6.15 What's News? 6.30 World (MW only) News in German 6.45 Sport (MW only) News in German 7.00 News 7.20 Two Cheers for Joy 8.00 News 8.15 Europe 9.30 Outlook 9.55 Faith 10.00 News 10.15 Britain 10.30 Music 11.00 News 11.30 World 11.45 Country Midday News 12.10am Concert 12.15 Anything Goes 12.45 Sport 1.00 News 1.30 What's News? 1.45 News 2.00 News 2.15 On Screen 2.30 BBC Record 3.00 News 3.30 News 3.45 News 4.00 News 4.15 Sport 4.30 Discovery

## CLASSIC FM

6.00am Nick Bailey 9.00 Henry Kelly 12.00 Suzanne Semons 2.00pm Lunchtime 11.00 Night Extra, 12.00am Classic Reports 7.00 The Pop Guide 8.00 Evening Concert 10.00 Michael Mappin 1.00am Robert Burt

## VIRGIN RADIO

6.00am Russ T. 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TUESDAY JUNE 6 1995

Williams replaces banned wing

## Hendriks pays dearly for part in brawl

FROM DAVID HANDS, RUGBY CORRESPONDENT, IN JOHANNESBURG

THE hard line on foul play threatened by the rugby union authorities before the 1995 World Cup began became fact yesterday when two further players were banned from the tournament. Moreover, it is the host nation, South Africa, which is most directly affected, since Pieter Hendriks, the Transvaal wing, now joins his provincial colleague, James Dalton, under suspension.

Dalton and two Canadians, Gareth Rees and Rod Snow, were sent off together by the Irish referee, David McHugh, after a mass brawl during the pool A game between the countries in Port Elizabeth on Saturday. All were suspended for 30 days, though the South Africans have appealed against Dalton's punishment.

But Ray Williams, the World Cup disciplinary commissioner at the game, also cited Hendriks and Scott Stewart, the Canada full back, for their part in the brawl. That hearing took place yesterday and Hendriks received a 90-day ban, effective immediately, for kicking and punching; the recommended sentence for the first is 60 days' suspension and 30 days for the second, hence the final tally that will keep Hendriks out of rugby until September.

Stewart, whose stupid charge into Hendriks escalated the situation, is suspended for 60 days, but Canada's part in the tournament is over. All three of their players will serve their punishments in comparative obscurity, whereas the spotlight now turns glaringly on South Africa, whose disciplinary record since their return to international competition in 1992 has been so poor.

They will not appeal against Hendriks' punishment and he is to be replaced in the squad by Chester Williams, who was forced out of the original party on the eve of the

tournament through injury. Dalton's situation remains to be resolved but there seems little likelihood of any appeals panel reversing the original decision and Naka Drotske, of Orange Free State, stands by to take his place.

If the authorities were to retain any credibility, they had to stand firm in the face of the worst incident in three World Cups and, to their credit, they have done so. The tournament rules permit suspended players to be replaced for safety reasons, which obviously

Rob Andrew ..... 44  
Welsh despair ..... 44  
David Miller ..... 44

apply in the case of a front-row forward such as Dalton, but rather less in the case of Hendriks, a wing.

The pleasure South Africans naturally feel at the success of their side in reaching the quarter-finals has been badly diluted, both by the disciplinary proceedings, the injuries suffered against the Canadians and the disruption to their preparations for the meeting with Western Samoa at Ellis Park here on Saturday.

Four other players, Gavin

Johnson, Joel Stransky and the locks, Kobus Wiese and Hannes Strydom, all suffered to some degree during the 20-0 win over Canada, though they were not the only quarter-finalists counting the cost of success. The Samoans used four replacements during their bruising 44-22 defeat in Durban against England, who themselves used five, though there was better news yesterday of England's two main casualties.

Nell Back and Graham Rowntree believe they may yet have a part to play in the rest of the tournament. The two Leicester players left the field during the first half at King's Park on Sunday night. Back, with a hamstring strain and Rowntree with a damaged calf muscle, and the initial prognosis was gloomy.

However, Rowntree, the loose-head prop, believes intensive treatment could restore him to contention for the match with Australia in Cape Town on Sunday, while Back, the flanker, said: "It felt bad at the time but I have improved with one night's sleep." Both players flew with England from Durban to Johannesburg yesterday and the management has left a decision over possible replacements for 24 hours.

Realistically, it is difficult to believe either player will be fit for selection this weekend, particularly bearing in mind how long Dean Richards's hamstring took to mend properly. However, if England overcome the Australians, then there would be a further week for recovery before the semi-finals are played.

England have been in touch with Peter Rossborough, the manager of the England A team now in the final week of its tour to Australia and Fiji, to check the form of potential replacements. The loose-head props in Australia are Rob Hardwick, of Coventry, and Kevin Yates, the youngster from Bath, while the flankers include Derek Eves, of Bristol, Richard Hill, of Saracens, and Rory Jenkins, of Harlequins.



Arthurton looks for a gap on the leg side during the century that almost certainly secured his Test place. Photograph: Hugh Routledge

## Lara out second ball in Test rehearsal

BY SIMON WILDE

NORTHAMPTON (final day of three): Northamptonshire drew with the West Indians

IT WAS the turn yesterday of the West Indian batsmen to have their final practice in the middle before the first Test match with England which starts at Headingley on Thursday. Jimmy Adams and Keith Arthurton gratefully took the opportunity — Arthurton scoring his second century in successive matches — but Campbell and, more significantly, Lara missed out.

With Northamptonshire scoring 281 in their first innings on Sunday, when the West Indian fast bowlers enjoyed a workout, and the captain, Robert Bailey and Courtney Walsh, unable to agree terms for a run-chase, the West Indians batted all day.

By declaring at 5.20 though, at 268 for five, they brought the match to its earliest possible conclusion, the bowling after tea lacking the purpose it had possessed before.

Arthurton's 260-minute vigour should be enough to secure him the sixth batting position in the Test side ahead of Chanderpaul, who was prevented from reaching the crease until 15 minutes from the end by his rival's long partnership with Adams. He watched from noon, when the West Indians were 52 for three, until five o'clock as they put on 206 runs together.

If Arthurton does retain his place, it will go to show that England's selectors are not alone in preferring experience to precocity. He played many sumptuous strokes yesterday, among them 20 fours and three straight sixes, but he has often made runs in such circumstances and too few

when it really matters.

His gesture on reaching a hundred — raising his bat and hat to the skies — was as absurdly grandiose as some of his attempted shots. Chanderpaul's frustrating day was rounded off in the final over when he hoicked an amiable ball from Fordham to mid-wicket.

Even so, Chanderpaul is

he had made 15, and not many afterwards, and he was annoyed to hole-out on the boundary when a century was there for the taking.

Campbell's position as opening partner to Hooper is apparently secure and he looked more compact than Williams as they began the innings briskly with 50 in 13 overs.

Williams's departure, to a ball from Taylor that cut back to trap him leg-before, was the first of three wickets to fall in seven balls, Campbell's being the third when he drove uppishly to mid-off against Capel.

Between these wickets, Lara was in and out. After his whistle-stop visit to Trinidad last week, he spent most of Saturday, when not a ball was bowled, sleeping on the dressing-room floor and appeared to have to drag himself from the pavilion yesterday.

Without an innings for a week, he needed to play himself in for a long spell at the crease and he played his first ball watchfully back to Taylor. Perhaps he thought that was enough because he had grander plans for the next delivery. Unfortunately for him, it was wide and his attempted drive succeeded only in dragging it into his off stump.

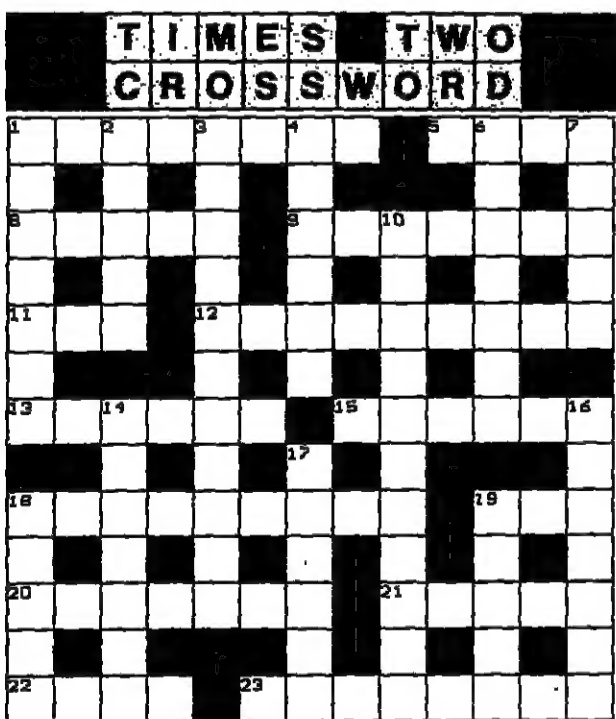
How things have changed for Lara. Today is the first anniversary of his 501 for Warwickshire, the culmination of an extraordinary 50 days in cricket history.

In those seven weeks, he scored 1,525 runs in eight innings at an average of 254. In the 52 weeks since, he has barely accumulated more runs in 36 visits to the crease. But he is immeasurably richer, and perhaps it is the money rather than the runs that he is now counting.

Scoreboards ..... 43  
Essex in a spin ..... 43

outperforming Arthurton in three-day matches on this tour: 235 runs for twice out, against 330 for three dismissals.

Adams's long tenancy will have lifted his spirits. He had been out of the runs and his intentions were clear from the start. There were few frills in the hour before lunch, when



No 488

## ACROSS

- 1 An acceptable target (4,4)
- 5 Feudal bondsman (4)
- 8 To shock, dismay (5)
- 9 Upstairs corridor (7)
- 11 Share: top (3)
- 12 High wire (9)
- 13 Become gloomy (6)
- 15 Spoken address (6)
- 18 Go hammer-and-tongs (with each other) (4,2,3)
- 19 Protrude (3)
- 20 Pain-relieving (7)
- 21 Living fence (5)
- 22 Handwriting: clenched hand (4)
- 23 Woman of earl's rank (8)

## DOWN

- 1 Soft and limp (7)
- 2 What is entered (into computer) (5)
- 3 Make unnecessary improvement (4,3,4)
- 4 Of evil intent (6)
- 6 Typical example, personification (7)
- 7 Musical form: amnesiac interlude (5)
- 10 Markedly inferior to (3,1,5,2)
- 14 Loud and discordant (7)
- 16 With bare head (7)
- 17 Ravel piece: jacket (6)
- 18 Metal, etc filings (5)
- 19 Decider of issue (5)

## SOLUTION TO NO 487

ACROSS: 6 Go to extremes 7 Aslant 8 Outlaw 9 Gong  
10 Re-enacts 12 Homespun 16 Risk 18 Limpet 20 Comedy  
21 Unrestrained  
DOWN: 1 Struggle 2 Hector 3 Otolite 4 Rent 5 Tenant  
6 Gusto 11 Acrimony 13 Onions 14 Potato 15 Nectar 17 Solid  
19 Poet

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## Barton tackles new status with consummate skill

BY LOUISE TAYLOR

THE burden of being British football's costliest defender seemed to sit lightly on Warren Barton's broad shoulders at St James' Park yesterday. If Barton, who completed a £4 million transfer to Newcastle United from Wimbledon, copes with Premier League left wingers as easily as he deflected media questions, he will quickly be pronounced a success.

The right back or right-sided midfielder player, who joined Wimbledon for £300,000 from Maidstone United five years ago, said all the right things as he sat alongside Kevin Keegan, his new manager. "I feel it's an honour that Newcastle were so determined to sign me," Barton, 26, said. "I'm an Arsenal fan but I had no hesitation in saying yes when Kevin Keegan came in for me. Everyone sings the praises of the club and the city. I'll be giving 100 per cent and feel sure I can handle the situation of being a £4 million player."

Keegan looked on in satisfaction. The only time a flicker of doubt crossed his face was when Barton declared that he had heard Newcastle's night-life was "very lively" and he was "very much looking forward" to sampling it.

With his trendy appearance and smart ripostes, Barton could have been one of those streetwise young men who are typically found working in offices throughout London and the South-East. In the 1980s, he was one of their band. "I was working in chartered accountancy playing for non-league teams like Maidstone and Ilford," he said. "You are an accountant



Barton: confident

As Barton said: "Wimbledon have an excellent scouting system."

In other words, they know where to find promising players and how to improve them. That other clubs have not emulated this success must be regarded as an indictment of scouts and coaches.

With the supply lines of home-grown youngsters breaking through into Newcastle's first team apparently having dried up, Keegan believes he is left with no option

but to spend up to £15 million this summer. He was in Italy last weekend making a £5 million offer for AC Milan's Holland international striker, Dennis Bergkamp, and he has also offered Queens Park Rangers £6 million for Les Ferdinand. Keegan was due to meet Ferdinand to discuss a potential move in the next two days and would, ideally, like to introduce him as Andy Cole's replacement by the end of this week.

Keegan is well aware of the craving for success among Newcastle supporters and pledged: "I promise everyone we'll not finish below six again next season. That's terribly disappointing and I guarantee it will not happen twice. I'm rebuilding this team and I want a couple more players to fine-tune the engine."

Yesterday, however, he was simply delighted to have secured Barton's services. "I watched Warren five or six times last season and he was the player who most impressed me," Keegan said. "I see him as a future leader, perhaps not just of Newcastle."

Talking of England — Barton was whisked away from the press conference to rejoin Terry Venables's squad preparing for the match against Sweden in Leeds on Thursday. After that Barton flies to the Cayman Islands for his wedding. "Good things come in threes," he said. "And I've got into the England squad, I'm getting married, and playing for Newcastle."

It certainly beats making the tea.

Photograph, page 42

## Gebresilasie cruises to record double

BY DAVID FOWELL  
ATHLETICS CORRESPONDENT

THE world 10,000 metres record was improved by the huge margin of 8.70 seconds last night when Haile Gebresilasie, an Ethiopian whose career has been marked by controversy, recorded 26min 43.53sec in Hengelo, Holland.

Gebresilasie performed brilliantly again at the venue where, a year and a day earlier, he had set the present 5,000 metres world record.

Gebresilasie has achieved a great deal in a short time: world junior champion at 5,000 and 10,000 metres in 1992, senior 10,000 metres world champion in 1993 and, now, at only 22, the first man since Henry Rono, of Kenya, in 1982 to hold both marks simultaneously. The 10,000 metres record has now been broken four times in less than two years.


In the 1993 world championships in Stuttgart, Gebresilasie trod on the heel of Moses Tanui, a Kenyan, as they entered the last lap. Tanui, minus a shoe, had to settle for silver while Gebresilasie sprinted to victory.

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